TOWARDS UNDERSTANDING TAQLEED

PART 2

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May Allaah Ta'ala protect him

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FOREWORD

بسم الله الرحمن الرحيم

نحمده و نصلي علي رسوله الكريم ، أمّا بعد:

All praise is due only to Allaah. We laud Him and beseech His aid and beg forgiveness only from Him and believe in Him and rely solely on Him. We seek salvation in Him from the evils of our inner selves and the vices of our actions. There is none to misguide one whom Allaah intends to guide. I bear witness that there is no one worthy of worship but Allaah, the One who has no partner. I also testify that Hadhrat Muhammad ρ is the faithful servant and the Last Rasul of Allaah. May Allaah Ta'ala's mercy be on him, his family and his Sahabaah τ and may He bless them and raise their status.

The fallacious claim of the 'Ahle Hadith', 'ghair Muqallid', 'La Mazhaabiyia' is that they follow strictly the Ahadith of Nabi ρ and nothing else. They cry this slogan and brand 'conformist' as 'bidatis' and even bring them to the level and Shirk and Kufr.

But the able scholar of Ahadith, Hadhrat Moulana Anwar Qureshi of Lahore, Pakistaan in his book 'Hadith aur Ahle Hadith' in Urdu has utterly demolished their cobweb stand and unveiled their deception.

Openly proving that the so called claimants of following the Hadith are in reality the deniers and rejectors of Ahadith whilst the Hanafis are in fact the followers of the Ahadtih.

We have not translated the entire voluminous book but chosen as emergency those rules of dispute created by the non-conformist in our country so as to educate, arm and equip the weary one against the vicious, malicious proprganda of the deviated 'Ahle Hadith'.

Adequate well referenced quotations are stated from Ahadith, statements of Sahabah τ, sayings of the Tabieen, quotes of the Tabi Tabieen to expose the nefacious deception of the 'Ahle Hadith.'

May Allaah Ta'ala grant 'Hidaayat' (guidance) to all.

Request for duaas.
A. H. Elias
4/ 5/ 08
Masjid e Nabawi after Asr.

GHAYR MUQALLIDEEN

To touch the Qur'an without Tahaarah (purification) is not permissible

"No one should touch it except the pure ones"

1. It is narrated from Hakeem ibn Hazaam τ that when Nabi ρ had sent him as a governor of Yaman, he ρ said: "Do not touch the Qur'an except whilst you are pure state." (Mustadrak Haakim Vol.3 pg 485, Daar e Qutni Vol. 1 pg 122)

2. It is narrated from Hadhrat Abdullaah ibn Umar τ that Rasulullaah ρ said: "Besides the pure person, no one should touch the Qur'an." (رواه الطبراني في الثصغير والكبير ورجاله موثقون مجمع الزوائد - Vol 1 pg 276)

3. It is narrated from Hadhrat Abdullaah ibn Abu Bakr ibn Hazam (A.R.) that the letter which Rasulullaah ρ had written to Hadhrat Umar ibn Hazam τ also included the statement: "No one should touch the Qur'an besides a pure person." (Mua'tta Imaam Maalik pg 185)

4. Hadhrat Anas ibn Maalik τ said that Hadhrat Umar τ came out with his sword suspended, he was told that your brother in law and sister have become (Saabi-صابى). He immediately came to his sister and brother in law with whom a muhaajir sahaabi known as Khabaab was present. They were all reading Surah طه. Hadhrat Umar τ said: "Give me that Kitaab which you all were reading I also want to read and he began reading." His sister said to him: "You are impure and only the pure people touch the Book of Allaah, because of this, stand up and either make ghusl or wudhu." Hadhrat Umar τ

got up and made wudhu, thereafter he took the Kitaab and read Surah طه. (Daar e Qutni Vol 1 pg 123)

5. Hadhrat Abu Waail (A.R) had sent his menstruating servant to Abu Razeen (A.R.) and she had held the Qur'an with a string/attachment. (Bukhari vol 1 pg 43)

It is established from the Ayaat of the Qur'an, Ahaadeeth, and statements of the Sahaabah τ that Tahaarah (wudhu/ ghusl) is a pre - condition to touch the Noble Qur'an. To touch the Qur'an without Tahaarat (wudhu or ghusl) is not permissible. Both Allaah Ta'aala and Nabi ρ have prevented this. Sahaabah e Kiraam and great Taabi'een acted upon this and the consensus of the Ummat is also upon this.

Accordingly, Abdur Rahmaan Al Shaafi'ee writes: "To pick up or touch the Qur'an for a person without wudhu is not permissible – by consensus of agreement." (Rahmatul Ummat pg 15)

Contrary to the Ayaat of the Qur'an, Ahaadeeth and Statements of the Sahaabah, and consenses of the Ummah, the saying of the Ghair Muqallideen is that Tahaarah (wudhu/Ghusl) is not a condition for a person to touch the Qur'an. The Qur'an can also be touched without Tahaarah (wudhu/ghusl).

Accordingly, respected Waheed ul Zammaan writes: "It has been said tahaarah (wudhu) is not a condition for the touching of the Qur'an, and from amongst our companions, Shokaani etc. were positive about it. (Nazalul Abraar Vol. 1 pg 1)

Respected Nur ul Hasan writes: "Even though the permissibility for a person without wudhu to cover the Qur'an is emphasised." (Arful Jaadi pg 15)

Though for a person without wudhu to touch the Qur'an is permissible.

Conclusion:

Allaah Ta'aala, Nabi ρ, the Sahaabah e Kiraam, Great Taabi'een, A'immah e Mujtahideen are all saying that it is not permissible to touch the Qur'an without wudhu, but the Ghair Muqallideen have left them and said: "NO! it is also permissible for a person reading the Qur'an to touch it without tahaarah (wudhu)."

Respected readers can decide whether this is open conformation or contradiction with the Qur'an and Ahaadeeth? Remember, the Ghair Muqallideen have followed Dawood Zaahiri regarding this rule because he has stated that to touch the Qur'an without Tahaarat (wudhu) is permissible.

To raise the hands and make congregational Duaa after the fardh namaaz is correct.

1. Hadhrat Abu Umaamah τ said that Rasulullaah ρ was asked which Duaa is most accepted. He ρ replied, that which is made in the last portion of the night and what is asked after the (fardh) salaats (obligatory prayers). (Tirmizi Vol. 2 pg 187)

2. Hadhrat Ali ibn Abi Taalib τ said that when Nabi ρ had completed his salaat, he turned and made this Duaa,

   اللهمّ اغفرلی ما قدمت وما اخرت وما اسررت وما اعلنت وما اسرفت وما انت اعلم به منی انت المقدم وانت المؤخر لآ اله الاّ انت

   (Abu Dawood Vol. 1 pg 212)

3. It is narrated from Hadhrat Baraa τ that Nabi ρ used to make this Duaa after Salaat,

   رب قنی عذابك يوم تبعث عبادك

(بحواله Nailul Atwaar Vol. 2 pg 321)

4. It is narrated from Hadhrat Salma τ that Nabi ρ used to make the following Duaa after Salaam,

اللهم انى اسئلك علما نافعا و رزقا طيبا و عملا متقبلا

(Musnad e Ahmad Vol. 6 pg 305 , Ibn Maajah pg 66)

5. It is narrated from Hadhrat Muaaz ibn Jabal τ that Rasulullaah ρ said to him "O Muaaz! I am advising you, after every namaaz do not leave out this Duaa,"

اللهم اعنّى على ذكرك وشكرك و حسن عبادتك

(Musnad e Ahmad Vol.5 pg 247 , Abu Dawood Vol.2 pg 213 , Nasaa'e Vol.1 pg 192)

6. Hadhrat Salman τ said that Rasulullaah ρ said: "Your Rabb is Everliving, Most Generous, and Shy to return His slave empty handed when he picks up his hands and makes Duaa to Him." (Tirmizi Vol.2 pg 196 , Abu Dawood Vol.1 pg 209 , Ibn Maajah pg 284)

7. Hadhrat Umar ibn Khataab τ said that when Rasulullaah ρ raised his hands to make Duaa he did not return them until he passed them on his face. (Tirmizi Vol.2 pg 176)

8. Hadhrat Ikramah τ narrates from Hadhrat Ayesha τ that he heard from Hadhrat Ayesha τ that she saw Nabi ρ raise both hands and make this Duaa,

جزء رفع اليدين) .انما انا بشر فلا تعاقبني ايما رجل من المؤمنين آذيته وشتمته فلا تعاقبني فيه
للامام بخاري

Bukhaari pg (17)

9. Hadhrat Fadl ibn Abbaas τ said that Rasulullaah ρ said, Salaat is two, two rakaats. Between every 2 rakaats is At'tahiyyaat (التحيات) and fear, show helplessness, make your destitution apparent and raise your hands, Hadhrat Fadl ibn Abbaas τ said, the meaning is that you raise your hands in the presence of Your Cherisher (Rabb) in this way that the palms of both hands are towards your face and say, O Rabb! O Rabb! Who did not do that, then it is like this and like this. (Tirmizi Vol.1 pg 87 , Nasaa'e Vol.1 , Ibn Khuzaimah)

10. Muhammad ibn Aslami (A.R.) said that he had seen Hadhrat Abdullaah ibn Zubair τ in this condition that he had seen a person making Duaa with his hands raised before completing Salaat. When he finished his Salaat then he had told him that Rasulullaah ρ never use to raise his hands for Du'aa until he had completed the Salaat. (Musanif ibn Abi Shaibah – بحواله سنية رفع اليدين فى الدعاء بعد الصلوات المكتوبة لمحمد بن عبد الرحمن الزبيدى pg 22)

11. It is narrated from Hadhrat Anas τ that Nabi ρ said: "Whichever servant spreads his hands after every Salaat and makes this Du'aa,

اللهم الهى واله ابراهيم و اسحق ويعقوب و اله جبرائيل و ميكائيل و اسرافيل عليهم السلام اسئلك ان تستجيب دعوتى فانى مضطر وتعصمني فى ديني فانى مبتلىً و تنالنلى برحمتك فانى مذنب و تنفى عنى الفقر فانى متمسكن,

then it becomes a responsibility of Allaah not to return these hands unsuccessful." (عمل اليوم والليلة لابن السنى pg 46)

12. Hadhrat Aswad Aamiri narrates from his father that he said: "I read Fajr Salaat with Rasulullaah ρ, when Rasulullaah ρ made Salaam, he turned away, raised his hands and made Du'aa." (سنية رفع اليدين فى الدعاء بعد الصلوات المكتوبة مع جزء رفع اليدين للامام بخاري - pg 23)

13. It is narrated from Hadhrat Abu Hurairah τ that Rasulullaah ρ raised his hands after Salaam whilst facing

the Qiblah, then made this Du'aa, "O Allaah! Aid Waleed ibn Waleed, Ayaash ibn Rabee'ah, Salama ibn Hishaam and those weak Muslims who cannot do anything, nor is there any path for them to be guided to from the hands of the disbelievers." (تفسير القرآن العظيم Vol.1 pg 22)

14. Abdul Aziz bin Abi Rawaad said: "Alqalmah ibn Murshid (A.R.) and Ismail ibn Umayya (A.R.) narrated to me that when Rasulullaah ρ completed his Salaat, he used to raise his both hands together and make this Du'aa,

اللهم اغفرلى ما قدمت وما اخرت وما اسررت وما اعلنت وما اسرفت وما انت اعلم به منى
" انت المقدم وانت المؤخر لآ اله الاّ انت لك الملك ولك الحمد
(كتاب الزهد والرقائق للامام عبد الله بن المبار)

Haafiz Ibn Katheer has mention in the incident of Alaa ibn Hadrami τ that when pre - dawn used to set in and when the Azaan for Fajr Salaat was given, he used to teach the Sahaabah and Taabi'een how to read Salaat. When he completed the Salaat, then he and the people would all sit on their knees. He raised up his hands and made Du'aa and the people did the same. (Bidaayah Wa Nihaayah Vol.4 pg 328)

From the abovementioned Ahaadeeth and statements of the Sahaabah the following commands are estasblished:-

a) The Du'aa known to be most accepted is that which is after the (Fardh) Salaat.

b) Nabi ρ himself use to make Du'aa after the (Fardh) Salaat and the Sahaabah e Kiraam also encouraged this.

c) The etiquette of making Duaa, is to raise the hands and make Duaa. Nabi ρ most of the time used to raise his hands and make Duaa.

d) Ahadeeth narrated by Hadhrat Abdullaah ibn Zubair τ, Hadhrat Abu Hurairah τ, the father of Hadhrat Aswad Aamiri and Hadhrat Alqamah bin Murshid establishes that Nabi ρ used to raise his hands and make Du'aa after the (Fardh) Salaat also.

e) The Ahaadeeth narrated by Hadhrat Fadl ibn Abbaas τ and Hadhrat Anas ibn Maalik τ establishes that Nabi ρ used to also encourage the Sahabah e Kiraam to raise their hands and make Du'aa after the (Fardh) Salaat.

f) It is clear in the incident of Hadhrat Alaa ibn Hadrami τ that he used to perform the Du'aa after the (Fardh) Salaat with his hands raised and the Sahaabah and Taabi'een use to raise their hands and join him.

From the above actions it is certainly evident and established that Nabi ρ used to raise his hands and make Duaa after the (Fardh) Salaat, the Sahabah e Kiraam also encouraged this. It is necessary that when Nabi ρ raised his hands and made Duaa that the Sahabah e Kiraam would also raise their hands and make Duaa, because it is farfetched to say that when Nabi ρ would raise his hands and make Du'aa the Sahabah e Kiraam, were sitting there by chance.

In view of these Ahaadeeth, the statements of the Sahabah and the traditions passed down from generation to generation by the Ummat, the jurists have stated that it is Mustahab (preferable to raise the hands and make congregational Du'aa after the (Fardh) Salaat.)

Contrary to all the Ahaadeeth and statements of the Sahaabah, the Ghair Muqallideen of the present era have understood congregational Duaa after the (Fardh) Salaat to be incorrect. Some say that it is an innovation and some say that is Haraam and have stopped it by saying it is a custom and a pious fraud.

Accordingly, Ghair Muqallid Sheikh ul Hadith Abul Barakaat Ahmad Saheb writes:-

“Concise version” Current Duaa is one custom and a pious fraud which was not present in the sunnat or lifestyle of Rasulullaah ρ, the history of the Kulafaa e Raashideen, the Fataawa of the Aimmah e Arba’a (Four schools of thought), nor in the chapters of Kitaabs (books) of the Muhaditheen. From time to time and sometimes there are also mistakes, because congregational Duaa is not established once also from Nabi ρ, in this way how can it be correct to do this sometimes?” (Fataawa e Barakaatiyya pg 98)

He further writes:-

“Teacher of teachers, our Sheikh Mukarram Muhaddith Gondelwi (A.R.) under his supervision there were three Musaajid in which this innovation has been stopped. Taali Waali Masjid, Muslim Masjid in No-shehra road and Jaami’a Islaamiyya in Haafiz Aabaad road, If hypothetically speaking, somebody has to make Duaa in this manner, then ask him, What is this? It has been 38 years since I have come to Gujraanwaale, from then till his death they have not seen anyone make congregational Duaa.” (Fataawa e Barakaatiyya pg 96)

One Ghair Muqallid Muhammad Abu Abd-u-Salaam has written an article against congregational Duaa after Salaat, in the centre of the title is written in bold letters “To make congregational Duaa after the (Fardh) Salaat is bid’at (an Innovation) and haraam (prohibited). A correspondent performed Asr Salaah with Jamaat (congregation) in one Masjid in Deoband. As soon as the Imaam made salaam one elderly `Ghair Muqallid` person stood up and began making noise that there is no proof for Duaa after Salaat in the Hadith, instead it prohibited.

Conclusion:

To raise the hands and make Duaa after the (Fardh) Salaat is established from the sayings and actions of Nabi ρ and the Sahaabah e Kiraam. Nabi ρ and the Sahaabah e Kiraam used to raise the hands and make Duaa after the (Fardh) Salaat individually, as well as collectively. Needless to say that the actions of the Pious Predecessors (Aslaaf) and aslo what came down from generation to generation is present, which on its own is a separate proof. But, the Ghair Muqallideen of the present era have determined this action to be a custom, pious fraud, innovation and haraam.

The decision is on your head, that to declare an action which is established from the actions of the (Aslaaf) Pious Predecessors, Sahaabah e Kiraam and Nabi ρ as Bid'at (innovation) or Haraam (prohibited), Is this called acting upon the Hadith? Come! Is this conforming or contradicting the Hadith?

In the straightening of the Saffs (rows), it is Sunnat to do so by joining shoulder to shoulder, not foot to foot.

1. Hadhrat Abdullaah ibn Umar τ narrates that Rasulullaah ρ said, straighten the rows, and make the shoulders equal, fill the gaps and be soft with your brothers, Do not leave any gaps for Shaitaan. Whoever joins the rows, Allaah will join with him, and whoever severs the rows, Allaah will cut of from him. (Abu Dawood Vol.1 pg 97)

2. Hadhrat Baraa ibn Aazib τ said that Rasulullaah ρ use to come in between the rows from one side to another and make our chests and shoulders equal and say, do not be back and forth, otherwise your hearts will differ. **He said that Allaah (جلّ جلاله) sends His mercy and the angels make Duaa of mercy for the ones in the front row.** (Abu Dawood Vol.1 pg 97)

3. Hadhrat Anas ibn Maalik τ said that after the Takbeer of Salaat, Rasulullaah ρ turned and faced us, then he said, look, keep the rows straight, and stand joined. **Without doubt, I see you all from behind my back.** In another narration from Hadhrat Anas ibn Maalik τ is that every one from amongst us put our shoulder and the shoulder of the next person, and our foot and his foot was brought together. (Bukhari Vol.1 pg 100)

4. Hadhrat Anas ibn Maalik τ narrates from Nabi ρ that he ρ said: "Join your rows and keep them close. Keep the necks equal. I take an oath on that being in whose power and possession lies my life, I saw that Shaitaan rushes in those rows in which there are empty spaces, as though he is the smallest offspring of a sheep." (Abu Dawood Vol.1 pg 97)

5. Hadhrat Abu Al Qaasim Jadli (A.R.) said that I heard Hadhrat Nu'maan ibn Basheer τ say that Rasulullaah ρ faced the people and said this thrice that, Straighten the (Saffs) rows, Oath on Allaah, it is necessary for you to straighten the (Saffs) rows otherwise Allaah Ta'aala will place dissension in your hearts. (After this) Hadhrat Nu'maan ibn Basheer τ said that he saw that one person was standing shoulder to shoulder, knee to knee and ankle to ankle linked to the next person. (Abu Dawood Vol.1 pg 97)

6. Hadhrat Nu'maan ibn Basheer τ said that Rasulullaah ρ used to straighten our (Saffs) rows. One day Nabi ρ came

out and saw that the chest of one person from the people (Namaazis) was protruding out. Nabi ρ said straighten your (Saffs) rows, otherwise Allaah Ta'aala will place difference between your faces. In this chapter, Hadhrat Jaabir ibn Samurah τ, Hadhrat Baraa ibn Aazib τ, Hadhrat Jaabir ibn Abdullaah τ, Hadhrat Anas τ, Hadhrat Abu Hurairah τ, Hadhrat Ayesha τ have also narrated this Hadith. Abu Isaa (Imaam Tirmizi (A.R.) said that the Hadith of Hadhrat Nu'maan ibn Basheer τ is 'Hasan and Sahih' (correct and authentic). It is narrated from Nabi ρ that he ρ said, the perfection of Salaat is in the straightening of the (Saffs) rows. It is narrated from Hadhrat Umar Farouq τ that he use to appointment a person for the correcting of the (Saffs) rows. Until he was not informed of this, that the rows were straight, he would not say the Takbeer (for Salaat). It is narrated regarding Hadhrat Ali τ and Uthmaan τ that they also were very concerned about this and used to say, stand straight! Hadhrat Ali τ use to say, so and so come forward and so and so go back. (Tirmizi Vol.1 pg 53)

7. It is Narrated from Hadhrat Maalik ibn Abi Aamir Ansaari (A.R.) that Hadhrat Uthmaan Ghani τ used to say in his sermon when they stood for Salaat that arrange the rows, and make the shoulders equal. (Mua'tta Imaam Muhammad pg 86)

8. It is narrated from Hadhrat Abdullaah ibn Mas'ood τ said that he saw a person standing and reading Salaah in this condition that both his feet were kept joined. He said that he has contradicted the Sunnat. If he made Muraawah, I would have approved of it more. (Nasa'i Vol.1 pg 103)

9. Between Hadhrat Abdullaah ibn Umar τ's feet there was no expansion nor were they joined together. He used to keep

them between the two, not too close, nor too far. (Al Mugni Vol.2 pg 11)

From the above mentioned Ahaadeeth and Statements of the Sahaabah τ, the following matters are established.

a) When reading Salaat in Jamaat (congregation) then extreme care should be taken in the forming of the rows (Saffs). In such a manner that all the people should be standing joined together. There should be no empty spaces remaining in between. Everyone should be standing equally, not forward and back. The easiest method is to make the shoulders join. i.e. arm with the arm of the next person. Accordingly, Nabi ρ has mentioned the same method for the establishment of the rows. That make the shoulders equal, as it is clear in Hadith No.1. Hadhrat Baraa ibn Aazib τ said that Nabi ρ used to say when the rows of the people reading Salaat were straight, then he used to make the shoulders equal as it is apparent from Hadith No.2. (**On the contrary, to join with foot to foot is not established in any Hadith, not by action nor saying**).

b) The Khulafaa e Raashideen use to also place a lot of importance in the straightening of the rows. **Hadhrat Umar τ used to appoint a person to ensure that the rows were straight. Until this information of the rows being straight was not given to him, he would not say the takbeer. When the jamaat (congregation) used to stand, Hadhrat Uthmaan τ used to give the instruction of straightening the rows and making the shoulders equal.** (He did not give the instruction of joining the feet). As it is clear in Hadith No.7 Hadhrat Ali τ at the time of straightening the rows used to say to the person who was a bit forward, go back and he used to say to the one who was a bit back, go forward. As it is clear from the explanation of Imaam Tirmizi (A.R.), but it is also not established from him that he gave the command of joining foot to foot.

c) In the Hadith (no.3) of Hadhrat Anas τ in which it is mentioned that every one from amongst us joined our shoulder and the shoulder of the next person and our foot and his foot was brought together. From this, the purpose was to show the great importance in the forming of the rows without any space remaining in between, not to literally join the feet together. The meaning is in the forming rows and standing together, we use to attach so much importance to it, that as though the foot of one person use to be joined to the foot of the other person. To support this is the saying of Nabi ρ in which he said, **that keep the necks equal.** Likewise is the saying of Hadhrat Nu'maan bin Basheer τ were he says he had seen that one person was standing shoulder to shoulder, knee to knee and ankle to ankle joined to the next person. Every person knows that for the rows (Saffs) to be rectified in this way that neck to neck, shoulder to shoulder, knee to knee and ankle to ankle joined is not possible, because of this, it will be said that the meaning of this is to show emphasis in the forming of the rows and the filling of the spaces. Accordingly, Haafiz ibn Hajar τ "The purpose of Imaam Bukhaari (A.R.) by the establishment of this chapter was to show the emphasis in the closing of the spaces and the straightening of the rows."

d) By way of explanation Hadhrat Anas and Nu'maan bin Basheer τ said that every one of them had done this. We come to know that in the era of Risaalat (prophethood) the forming of the rows was done in this manner. After which it did not remain. Supporting this is that Muhaddith Ismail (A.R.) had extracted in his Mustakhrajj a narration from Hadhrat Ma'mar (A.R.) in which it is mentioned that Hadhrat Ma'mar (A.R.) narrates these words from Hadhrat Anas τ "If I did this with anyone today, then they would flee away like headstrong (شموص) mules." From here we

come to know that this method of forming the rows had stopped in the time of the Sahaabah. This is also known that in the forming the rows, in the literal meaning ` to join foot to foot` is not sunnat. **If this was a sunnat, then the Sahaabah e Kiraam and the Great Taabi'een would have never left this, and nor would there** be so much contradiction with this action.

e) Hadhrat Abdullaah ibn Mas'ood τ saw a person standing and reading Salaah in this condition that both his feet were kept joined, he said: "He has contradicted the sunnat. If he made Muraawah, I would have approved of it more." Muraawahah is, to stand on one foot sometimes and then the other because of standing for long periods in Salaah. And this matter is obviously apparent here, that the manner of Muraawahah is that a little space is left between both the legs. Since Hadhrat Abdullaah ibn Mas'ood τ contradicted this manner of Salaah, why did he keep his feet together, instead he also contradicted this, that is why he did not make Maraawahah where by there is a little space between the two feet. From this contraction it becomes known that according to him the Sunnat is that the person reading Salaat should not totally keep his feet joined, nor should they be totally widespread, instead he should keep a moderate space between the two.

The action of Hadhrat Abdullaah ibn Umar τ was he never used to stand with his feet too wide open, nor totally closed together in Salaah. Instead, he use to stand according to the natural disposition like it is apparent from the narration in Mugni. The sayings and actions of two extremely great Sahaabah e Kiraam establishes that whosoever will keep his legs according to the Sunnat, should not join his feet to that of the next person. Because, in this case between both the feet will be a lot of space.[1]

[1] Jurist of the Hanafi Mazhab say that while standing there should be a space of four fingers, certainly this was the explaination of the actions abd sayings of the pious.

The jest of the discussion is that at the time the rows are being formed and straightened, the correct manner according to the Sunnat is that everyone should stand together with their shoulders joined, without any spaces remaining in between and without anybody being forward or backward in the row. There is no necessity that the feet be joined, because he himself will have created a deficiency in the most awkward form between the legs because his legs will buckle when joining the feet. Secondly, he would cause unnecessary difficulty. Accordingly it is apparent from this aspect. Thirdly, this too is contrary to humility. Fourthly, by doing this there is difficulty in performing ruku and sajdah. Fifthly, Emphasis on the straightening of the saffs is only in the beginning of the salaat, and in the manner where the legs are widespread by joining the foot of one person to that of another, this (i.e. the straightening of the rows) would be occurring at the beginning of every rakaat, which is contrary to the Sunnat.

However, contrary to the mentioned Ahaadeth, Statements of the Sahaabah e Kiraam, and all the explanations, according to the Ghair Muqallideen, it is Sunnat and necessary to join the foot of the person to that of the next in congregational Salaat.

Accordingly Hafiz Abdul Mateen Saheb Memon writes:

"Ghair Muqalliden i.e. the Ahle Hadeeth have understood that to stand in such a manner where the foot of one person is next to the foot of the next person is necessary and sunnat." (Hadeeth e Namaaz pg 48)

And the Jurists have made this limit in order to make it easy for the people, although this limit is not (fardh) or waajib. Allaamah Ibn Aabideen Shaami (A.R.) has written "It is appropriate that between both legs should be the space of four fingers, because this is closer to Khushu (Humility) and It is narrated that Hadhrat Abu Anasar Adabusi use to do this.

He further writes: - “It is distressing and sad that the Ahle Hadeeth slowly ruin their saffs by not placing the feet correctly. It should be such that how much place a person takes when sitting in Attahiyaat, that is how much of space he should keep both feet whilst standing. In this manner the saffs will on there own be complete like a wall without any deficiency. Woman should also form their saffs in the same manner that the foot and shoulder of one woman should be in line with the foot and shoulder of the next.

Conclusion:

Nabi ρ gave the command of joining the saffs by joining the shoulders and he ρ himself use to straighten the saffs by making the shoulders equal, not by giving the command of joining the feet, nor did he ρ join the feet of the people reading Salaat at the time of correcting the saffs.

The Khalif e Raashid, Hadhrat Uthmaan Ghani τ also gave the instruction of joining the shoulders at the time of Salaat, not that of the feet. Hadhrat Ali τ KarramAllaahu Waj ha use to tell those reading Salaat to go backwards and forwards at the time of correcting the saffs.

With all of these things, this is most certainly established, that the straightening of the saffs, the Sunnat is to make the shoulders equal. However, the saying of the Ghair Muqallids is that the joining of the feet is Sunnat, because in the Hadith the Sahaabah used to join the feet of one to that of the next person. Whereas the Muhditheen have used this to emphasis the forming of the saffs, not on the literal meaning of joining foot to foot. If for a little while we accept the saying of the Ghair Muqallids and take the joining of foot to foot literally, then too, the Ghair Muqallideen will wish that knees and the ankles also be joined, because Hadhrat Nu’maan bin Basheer τ has mentioned the joining of foot to foot, he has also mentioned the joining of knee to knee and

ankle to ankle. The Ghair Muqallideen will wish that the necks too should be joined, because in the Hadith of Hadhrat Anas τ this is also mentioned. The Ghair Muallideen do not join the knees, ankles, or even the necks. They only stress on the joining of the feet, which is something that is not sunnat. By doing that a sunnat act is left out (i.e. the joining of the shoulders). By joining foot to foot, the shoulders will not join. The confusing thing is that the Ghair Muqalliden give the same command for the woman (i.e. the joining of the foot of one person to that of another). When women join their feet like men, how strange will the shape be? (لا حول ولا قوة الا بالله)

We will leave you to decide, whether to leave out a Sunnat (masnoon) action in order to carry out an action which is not sunnat (ghair masnoon). Is this conforming or contrary to the Sunnat?

The Invalidation of Salaah by looking inside the Qur'an

1. It is narrated from Rifaa ibn Raafi that under the explanation of the (Hadith of the Bedouin) that Rasulullaah ρ said to him: "Make wudhu like how Allaah has commanded you, then give Azaan and thereafter Iqaamat. Then say Takbeer e Tahreemah. Then if you know anything of the Qur'an then recite it otherwise praise Allaah and make Takbeer and Tahleel (to say لا حول ولا قوة الا بالله)" (Abu Dawood Vol.1 pg 125, Tirmizi Vol.1 pg 66)

2. Hadhrat Abdullaah ibn Abi Aufaa τ said that one person came to Nabi ρ and said: "I am not able to remember anything from the Qur'an so because of this, teach me something that would suffice me. Nabi ρ said, say (سبحان الله

والحمد لله ولا اله الا الله والله اكبر ولا حول ولا قوة الا بالله)" (Abu Dawood Vol.1 pg 126, Nasai Vol.1 pg 107 , Musnad e Ahmad Vol.4 pg 353)

3. Hadhrat Ibn Abbas τ said, the leader of the believers Ameer ul Mu'mineen Hadhrat Umar Farouq τ had prevented them to make Imaamat of the people (lead the people in Salaah) whilst looking inside the Qur'an Shareef and that they make anyone else except the mature as the Imam. (Kanzul Ummal Vol.8 pg 263)

4. Hadhrat Jaabir τ narrates that Hadhrat Aamir τ said that a person who looks in the Qur'an (whilst in Salaah) must not be made the Imaam. (Musanif ibn Abi Shaibah Vol.2 pg 339)

It is established from the above mentioned Ahaadeeth and Statements of the Sahaabah that to look inside the Noble Qur`an and recite whilst in Salaat is not permissible. By doing this the Salaah becomes invalid. If looking in the Qur`an and reciting whilst in Salaah was permissible, then Nabi ρ would have given permission to the person that came and said that he is unable to remember anything from the Qur`an, and asked Nabi ρ to show him something else to read instead. Then certainly Nabi ρ would have told him that if you are unable to remember anything from the Qur`an then look inside the Qur`an and read whilst in Salaat. However, Nabi ρ never said this. Instead the questioner was told to read (سبحان الله والحمد لله ولا اله الا الله والله اكبر ولا حول ولا قوة الا بالله). In the same way, Nabi ρ taught a person how to read Salaah and then told him to memorize a portion of the Qur`an and to recite that portion in Salaah otherwise he should say (الحمد لله), (الله اكبر) (لا اله الا الله). If looking inside the Qur'an and reciting whilst in Salaah was correct, then Nabi ρ would have told this person that if you cannot remember anything from the Qur'an, then look in it and read (whilst in Salaah). However, Nabi ρ did not say this and prescribed other (اذكار) for him to read. This is a clear proof which establishes the fact that to look inside the Qura'n and recite during Salaah is incorrect. It is due to this reason that the Khalifa

e Raashid Hadhrat Umar Farouq τ prevented the Sahaabah from looking inside the Qur'an and reciting during Salaah. This prevention of Hadhrat Umar Farouq τ is also a proof which establishes that to look inside and recite the Qur'an whilst in Salaah invalidates the Salaah.

Secondly, to look inside the Qur'an and recite comes under learning and teaching, which is contrary to Salaah.

Thirdly, to hold the Qur'an Shareef in one's hand, together with the turning of the pages is Amal e Katheer[1]. And Amal e Katheer invalidates the Salaah.

But despite all these Ahaadeeth, Statements of the Sahaabah τ, the Ghair Muallideen have gone contrary to this. They say, that to look inside the Qur'an and recite during Salaah is correct, so much so that even to hold it and turn the pages during Salaah is correct.
Accordingly Nawaab Waheed ul Zamman writes:-

"That to there is no harm to look inside the Qur'an and read during Salaah even though the Qur'an is kept in one or both hands and the pages are turned, equally whether it is obligatory or in optional prayers. Similarly, there is also no harm to look inside the Qur'an and correct the Imaam." (Nuzul ul Abraar Vol.1 pg 110)

He further writes:-

"It is also not makrooh or disliked if the Imam has to look inside and read from the Qur'an and turn the pages with his fingers."

Conclusion:

[1] Amal e Katheer is that action which if a person is seen doing, by an onlooker then the impression created is that one cannot be in Salaah.

Despite there being a necessity, Nabi ρ did not give the command to do this. That which the Khalifa e Raashid Umar Farouq τ prevented and the Taabi'een as well as the Tab e Taabi'een understood to be correct, these Ghair Muqallideen have declared it to be correct without any dislike (karaahat). If he wishes for Salaah continue, it continues. The decision is yours, is this conforming or contrary to the Ahaadeeth?

The Permissility of reading the Sunnat of Fajr at the time the Imam stands up to perform the (Fardh)

1. Hadhrat Ayesha τ said that Nabi ρ stated that the two rakaats of Fajr is better than the world and whatever is in it. (Muslim Vol.1 pg 251)

2. Hadhrat Ayesha τ said that Nabi ρ was never more particular with anything else from the nawaafil than with the punctuality and proctecting of the two rakaats of Fajr. (Bukhaari Vol.1 pg 156), (Muslim Vol.1 pg 251)

3. Hadhrat Abu Hurairah τ said that Nabi ρ stated that do not leave out the two rakaats of fajr even though horses trample on you. (Abu Dawood Vol.1 pg 178)

4. Hadhrat Abu Ishaaq τ says that Hadhrat Abdullaah τ the son of Hadhrat Abu Musa (Al Ashari) τ informed me from his father that one time Hadhrat Saeed ibn Aas τ called them. He called Hadhrat Abu Musa Ashari τ, Hadhrat Huzaifah τ, Hadhrat Abdullaah ibn Mas'ood τ before the fajr Salaah. Thereafter when they came away from him, the Jamaat for Salaah had already stood up. Hadhrat

Abdullaah ibn Mas'ood τ sat by a pillar in the Masjid and read two rakaats and then joined the Salaah. (Tahaawi Vol.1 pg 257)

5. Hadhrat Abdullaah ibn Abi Musa Ashari τ said that Hadhrat Abdullaah ibn Mas'ood τ came to the Masjid whilst the Imam was reading the Fajr. He read the two Sunnats of Fajr which he had not read before. He read this concealed behind a pillar. (Mu'jam Tabraani Kabir Vol.9 pg 277)

6. Hadhrat Abdullaah ibn Mas'ood τ reports from Hadhrat Abdullaah ibn Abu Musa Ashari τ that he entered into the Masjid (at the time of fajr) whilst the Imam was in Salaah. Then first he read the two rakaats Sunnats of Fajr. (Tahaawi Vol.1 pg 257)

7. It is narrated from Hadhrat Haarith ibn Mudrab τ that Ibn Mas'ood τ and Abu Musa Ashari τ came from Hadhrat Saeed ibn Aa`s τ whilst the Jamaat for Fajr had stood up. Hadhrat Abdullaah ibn Mas'ood τ first read two rakaats Sunnat of Fajr and then joined the Jamaat and Hadhrat Abu Musa Ashari τ entered the saff straight away. (Musanif ibn Abi Shaibah (Vol.2 pg 251)

8. Hadhrat Maalik ibn Mugawal (A.R.) said that he heard Hadhrat Naafi` (A.R.) say: "I woke Hadhrat Abdullaah ibn Umar τ up for Fajr Salaah when the Jamaat had already stood up. He woke up and first read two rakaats." (Tahaawi Vol.1 pg 258)

9. Hadhrat Muhammad ibn Ka`b Qurazi (A.R.) said that Hadhrat Abdullaah ibn Umar τ left his house whilst the Jamaat for Fajr Salaah had already stood up. He read two rakaats (i.e. Sunnat of Fajr) on the way before he entered the Masjid and thereafter joined the Jamaat and read the Fajr Salaah with the people. (Tahaawi Vol.1 pg 258)

10. Hadhrat Zaid ibn Aslam (A.R.) narrates from Hadhrat Abdullaah ibn Umar τ that he came for Fajr Salaah whilst the Imam was reading the Salaah. He had not yet performed his two Sunnat of Fajr, therefore he performed his two Sunnats of Fajr in the room of Hadhrat Hafsah τ and thereafter joined the Jamaat for Fajr. (Tahaawi Vol.1 pg 258)

11. Hadhrat Abu Mujliz (A.R.) said that he entered the Masjid for Fajr Salaah with Hadhrat Abdullaah ibn Umar and Hadhrat Abdullaah ibn Abbas τ whilst the Imam was performing the Salaah i.e. (Fardh) Salaah. Hadhrat Abdullaah ibn Umar τ entered in the saff however Hadhrat Abdullaah ibn Abbas τ read two rakaats Sunnat of Fajr whilst the Imam was engaged in the Salaah. **When the Imam made Salaam then Hadhrat Abdullaah ibn Umar sat in his place and waited for the sun to rise. He thereafter stood up and performed two rakaats.** (Tahaawi Vol.1 pg 257)

12. Hadhrat Abu Uthmaan Ansaari τ said that Hadhrat Abdullaah ibn Abbas τ came to the Masjid (for Fajr Salaah) whilst the Imam had began the Salaah. He had not yet read the two rakaats Sunnat of Fajr, therefore he first read two rakaats Sunnat of Fajr behind the Imam and thereafter joined the congregation of people. (Tahaawi Vol.1 pg 258)

13. Hadhrat Abu Darda τ narrates that he came to the Masjid when the people were standing to form the saffs. He performed the two rakaats Sunnat of Fajr in one corner of the Masjid and then joined the people in Salaah. (Tahaawi Vol.1. pg 258)

14. Hadhrat Abu Uthmaan An Nahdi said: "We came to Hadhrat Umar τ before we read the two Sunnats of Fajr Salaah whilst he was reading Salaah. We then read the two

Sunnats of Fajr in the back of the Masjid and thereafter joined the people in their Salaah." (Tahaawi Vol.1 pg 258)

15. Hadhrat Husain (A.R.) narrates that he heard Hadhrat Imam Sha`bi (A.R.) saying that Hadhrat Masrooq (A.R.) came to the people whilst they were engaged in Salaah. He had not yet read the two Sunnats of Fajr, he read the two rakaats Sunnat of Fajr in the Masjid and thereafter joined the people in their Salaah. (Tahaawi Vol.1 pg 258)

16. It is narrated that Hadhrat Hasan Basri (A.R.) said: "When you enter the Masjid and you have not yet read the two Sunnats of Fajr, first read the two Sunnats even though the Imam is already reading the Salaah. Thereafter join the Imam in his Salaah." (Tahaawi Vol.1 pg 258)

17. Hadhrat Hashim (A.R.) said that Hadhrat Yunus (A.R.) informed us that Hadhrat Hasan Basri (A.R.) stated that the two rakaats of Sunnats should be read in a corner of the Masjid and thereafter the congregation of Salaah should be joined. (Tahaawi Vol.1 pg 258)

18. Hadhrat Saeed ibn Jubair (A.R.) narrates that he came to the Masjid whilst the Imam was reading the Salaah. He read the two Sunnats of Fajr by the door of the Masjid before he entered. (Musanif ibn Abi Shaibah Vol.2 pg 251)

19. Hadhrat Mujaahid (A.R.) said that when you enter the Masjid whilst the people are engaged in the Fajr Salaah (Jamaat) and you have not read the two Sunnats of Fajr, then first read it, even though you think that you have already missed the first rakaat. (Musanif ibn Abi Shaibah Vol.2 pg 251)

20. Hadhrat Ali τ said that Nabi ρ read the two rakaats at the time of Iqaamat (Ibn Majah pg 81)

21. Hadhrat Ali τ said that Nabi ρ read the two Sunnats of Fajr at the time of Iqaamat. (Musnad e Ahmad Vol. pg 77)

22. Hadhrat Maalik (A.R.) narrates from Hadhrat Hishaam (A.R.) the son of Hadhrat Urwa (A.R.) that his father Urwa (A.R.) narrated that Hadhrat Abdullaah ibn Mas`ood τ said: "It did not worry me if the Iqaamat of Fajr Salaah took place whilst I was performing my Witr Salaah." (Mua`tta Imam maalik pg 111)

23. Hadhrat Imam Maalik (A.R.) narrates from Hadhrat Yahya bin Saeed (A.R.) who said that Hadhrat Ubaadah ibn Saamit τ made Imaamat for people. One day he came out to perform the Fajr Salaah and the Mua`zzin had already given the Iqaamat for the Fajr Salaah, he made him keep quiet until he had completed the Witr and thereafter performed the Salaah. (Mua`ta Imam Maalik pg 111)

24. Hadhrat Imam Maalik (A.R.) narrates from Hadhrat Abdur Rahmaan ibn Qaasim (A.R.) that he heard Hadhrat Abdullaah ibn Aamir ibn Rabi`ah τ saying that: "I read the Witr Salaah even though I could hear the **Iqaamat or after Fajr**." From the side of Hadhrat Abdur Rahmaan ibn Qaasim (A.R) there is doubt that Hadhrat Abdullaah ibn Aamir ibn Rabi`ah τ said this. (Mua`tta Imam Maalik pg 111)

25. It is narrated from Hadhrat Abu Hurairah τ that Nabi ρ said that it is not permissible to perform any Salaah whilst the Iqaamat is going except the (Fardh) of that Salaah with the exception of the two Sunnats of Fajr. (which is permissible) (Sunan e Kubrah Baihaqi Vol.2 pg 483,) Shaikh Uthmaan (A.R.) has said after the discussion of his chain of narrations (Isnaad) that this chain of narraition is also Hasan – (I`laa us Sunan Vol.7 pg 9)

It is established from the above mentioned Ahaadeeh and Statements of the Sahaabah that if a person had come for Fajr Salaah (and he had not yet read his Sunnats) whilst the Jamaat had already stood up for the (Fardh). Then if he has certainty that he will get the second rakaat with the Jamaat if he reads the Sunnats first, then either in some place outside of the Masjid, by the door of the Ka`bah, in a corner of the Masjid or concealed behind a pillar separated from the saffs he should go and read the two Sunnats of Fajr and thereafter join the Jamaat.

Firstly, it is because of the great emphasis that Nabi ρ had mentioned regarding it.

Secondly, it was also the practise of the Sahaabah e Kiraam. For example the practise of great Sahaabah e Kiraam such as Hadhrat Abdullaah bin Mas`ood τ, Hadhrat Abdullaah bin Umar τ, Hadhrat Abdullaah ibn Abbas τ and Hadhrat Abu Darda τ and Great Taabi`een such as Hadhrat Abu Uthmaan Nahdi, Hadhrat Masrooq, Hadhrat Saeed ibn Jubair (A.R.) was that if they had come to the Masjid whilst the Jamaat had already stood up and they had not yet read their Sunnats of Fajr, then first they use to read their Sunnats of Fajr and thereafter join the Jamaat. Hadhrat Hasan Basri and Hadhrat Mujaahid (A.R.) had given this Fatwa that if a person did not read his Sunnats of Fajr and had come to the Masjid whilst the Jamaat had already stood up, then if he wants to he can read it before he joins the Jamaat. As it is clearly mentioned in Hadith in 16 and 19. Likewise it is apparent from Hadith number 20 and 21 that one had read his Sunnats of Fajr even at the time of Iqaamat of Salaat. In Hadith number 23 and 24 it is known that Hadhrat Abdullaah ibn Mas`ood, Hadhrat Ubaadah ibn Saamit, Hadhrat Abdullaah ibn Aamir ibn Rabee`ah τ that they also read Witr at the time of Iqaamat.

However, contrary to all the Ahaadeth and statements of the Sahaabah, the Ghair Muqalliden say that to read the two Sunnats of Fajr after the Jamaat has stood up (without any explanation) is

not permissible, it is disobedience to Allaah Ta`ala and his Rasul ρ and the punishment for disobedience is Jahannam.

Likewise, Hakeem Saadiq Sayaalkauti Saheb writes:-

"Besides the disobedience of the Rasul of Allaah ρ, if they were to read the Sunnats in the presence of the Jamaat, what else would it be? When Nabi ρ has said that there is NO salaat and negated every Salaah." (Salaat e Rasul. pg 42)

Abdus Sattar the Mufti of a strange group of Ahle Hadith had written the following answer to a question. Both of which are amazing.

Question: Zaid says that once the Fajr Salaah has begun then there is no other Salaah. Bakr says that if a person comes to the Masjid for fajr whilst the Salaah is on, then if he wants he can read the Sunnats of Fajr and thereafter join the Jamaat. Who`s opinion is correct?

Answer: What Zaid says is correct. Bakr is incorrect, instead most incorrect. It is in the Hadith Shareef that (اقيمت الصلوة فلا صلوة الا المكتوبة) which means when the Takbeer for the (Fardh) Salaah takes place, then there should be no other Salaah. This Hadith means every person who reads the Sunnats of Fajr when the Fajr is on, is in the disobedience of Allaah and his Rasul ρ like how it is a custom today in the Jamia Masjid of the Ahnaaf especially at the time of fajr. This is total disobedience of Nabi ρ. And the punishment of disobedience is Jahannam. (ومن يعص الله و رسوله و يتعدّد حدوده يدخله نارا خالداً فيها وله عذاب مهين) (Fataawa Sataariyya Vol.3 pg 40)

Nawaab Waheed ul Zamaan writes:-

"It is not permissible to begin any Salaah when the Iqaamat for the (Fardh) Salaah has gone. And this command is no different for the Sunnats of the other Faraaid and the two Sunnats of Fajr.

And nor does the reading of the Sunnats by the door of the Masjid or even outside of the Masjid make a difference." (Nuzul ul Abraar Vol.1 pg 132)

Conclusion:

From Sahih Ahadeeth, actions of Senior Sahaabah e Kiraam and Great Taabi`een, this is being established, that if a person has to come to the Masjid for Fajr whilst the Jamaat is on and if he had not yet performed the two Sunnats of Fajr, then he should first read the Sunnats and thereafter join the Jamaat. Hadhrat Hasan Basri (A.R.) and Hadhrat Mujaahid (A.R.) haven given the Fatwa upon this. However, the Ghair Muqallideen without thought or understanding are giving this Fatwa that this is not permissible and it is disobedience of the Rasul of Allaah ρ.

What? Were the instructions and orders of Nabi ρ not in front of the Sahaabah e Kiraam and Great Taabi`een? Did they understand the Ahaadeth to be a joke? Where the Sahaabah and Taabi`een disobedient to the Rasul of Allaah ρ? Was the narrating of all these impermissible acts not Kufr rendering them as Jahannamis? Respected readers, think a little! Who gave this Fatwa? Who are opposing these Fataawa? Is this what is called acting upon the Ahaadeeth? That the Sahaabah and Taabi`een understood one action to be permissible and they fearlessly declare it as impermissible. Honoured readers now you yourself decide, Is this conforming to the Hadith? Or contradicting it?

To read Nafl Salaah before Maghrib is not Masnooon

1. Hadhrat Taa`oos (A.R.) said that Hadhrat Abdullaah ibn Umar τ was asked regarding the reading of two rakaats before Maghrib. He replied that he had not seen anyone read these two rakaats in the time of Nabi ρ nor did he see anyone being permitted to read two rakaats after Asr Salaah. (Abu Dawood Vol.1 pg 182)

2. Hadhrat Hammaad (A.R.) said that he asked Hadhrat Ibrahim Nakha`ee (A.R.) regarding the reading of Salaat before Maghrib. He prevented me from this and said that Nabi ρ, Hadhrat Abu Bakr τ and Hadhrat Umar τ did not read this. (كتاب الاثار للامام ابى حنيفة برواية الامام محمد pg 32)

3. Hadhrat Ibrahim (A.R.) said that Hadhrat Abu Bakr τ, Hadhrat Umar τ and Hadhrat Uthmaan τ did not read two rakaats before Maghrib Salaah. (Musanif Abdul Razzaaq Vol.2 pg 435)

4. Hadhrat Saeed ibn Musayyib (A.R.) said that the Muhaajireen τ never used to read two rakaats Nafl before Maghrib, nor did the Ansaar τ do this. (Musanif Abdul Razzaaq Vol.2 pg 435)

5. Hadhrat Abdullaah ibn Buraidah τ narrates from his father that Nabi ρ said that between every two Azaans is a Salaah, besides that of Maghrib. (كشف الاستارعن زوائد مسند البزار Vol.1 pg 334)

6. Hadhrat Jaabir τ said that they asked the pure wives of Nabi ρ as to whether Nabi ρ read two rakaats of Nafl Salaah before Maghrib? They replied, in the negative, besides Hadhrat Umme Salma τ, she said: "Once Nabi ρ read two rakaats by me." She then asked Nabi ρ as to which Salaah that was. Nabi ρ said that he had forgotten to read two rakaats before Asr Salaah, so that is what he had read.
(رواه الطبرانى في كتاب مسند الشاميين, بحواله نصب الرواية Vol.2 pg 141)

7. Hadhrat Abdullaah ibn Buraidah τ said that Hadhrat Abdullaah ibn Mughaffal τ narrated this Hadith to me from Nabi ρ, that Nabi ρ said: "Read Salaah before Maghrib," the third time Nabi ρ said, for whoever wished, out of dislike that the people will take it as a Sunnat. (Bukhaari Vol.1 pg 157)

8. Hadhrat Murthad ibn Abdullaah Yuzani (A.R.) said that he went to Hadhrat Uqbah ibn Aamir Juhani τ and said: "Shall I tell you an astonishing thing about Abu Tameem? He reads two rakaats before the Salaat of Maghrib." Hadhrat Uqbah τ said that in the era of Nabuwaat they used to also do this. I then asked him as to what prevents them now? He said occupation. (Bukhaari Vol.1 pg 158)

9. Hadhrat Saa`ib ibn Yazid τ narrates that Rasulullaah ρ said : "My Ummat will always remain upon its nature so long as they read the Maghrib Salaah before the stars come out." (Majma us Zawaa`id Vol.1 pg 310)

10. Hadhrat Abu Ayoob τ said that Rasulullaah ρ performed the Salaah of Maghrib at the time of the breaking of fast of the fasting person and let it precede the coming out of the stars. (i.e. read it before the stars come out) this narration has also been mentioned by Imam Ahmad. The wording of the Hadith narrated in Tabraani is that he ρ read Maghrib Salaah after the setting of the sun. (Majma us Zawaa`id Vol.1 pg 310)

From the above mentioned Ahaadeeth, statements of the Sahaabah τ the following matters are established:-

a) That to read two rakaats of Salaah before that of Maghrib is not Masnoon (sunnat) because Nabi ρ did not do so.

Accordingly, it is clear from Hadith number 7 of Bukhaari Shareef.

b) To read two rakaats of Nafl Salaah before Maghrib is not established from Nabi ρ or the Khulafaa e Raashideen, as it is apparent from Hadeeth numbered 1,2,3,4.

c) "Nabi ρ said that between every two Azaans (i.e. Azaan and Iqaamat) is a Salaah" excluding the Salaah of Maghrib, like how it is evident in Hadith number 5.

d) In the early era, the Sahaabah e Kiraam used to read this Nafl Salaah, but during the latter time this was completely left out. Therefore it is known from Hadith number 8 of Bukhari Shareef that Hadhrat Murshid ibn Abdullaah Yuzani (A.R.) had seen Hadhrat Abu Tameem Abdullaah ibn Maalik (A.R.) read this Nafl and had become astonished. He went to Hadhrat Uqbah ibn Aamir τ and said : "Shall I tell you about the astonishing thing of Abu Tameem? He read two rakaats before the Salaah of Maghrib." Hadhrat Uqbah ibn Aamir τ had given this answer to his astonishment that we also used to read this in the era of Nabuwaat. It is clearly known from this narration that in the time of the Sahaabah and Taabi`een this Nafl was left out, otherwise he would have not been astonished on coming to know of them reading it.

e) Nabi ρ had emphasised the performing of the Maghrib Salaah quickly.

In the light of these Ahaadeeth and statements of the Sahaabah, the Jurists said that it is not Sunnat to read two rakaats before Maghrib Salaah, instead if anyone understands this to be Sunnat, then in this case it will be makrooh, because Nabi ρ himself had decided it to be makrooh for those who understood it as Sunnat.

Secondly, if anyone has to delay the Maghrib Salaah due to the attachment of these Nafl, then because of the delaying of the Maghrib it will be makrooh. Contrary to all of these Ahaadeeth and statements of these Sahaabah and according to the Ghair Muqallideen to read two Nafl before the Maghrib Salaah is Sunnat, not only this, but that person who does not understand these two Nafl before Maghrib as Sunnat is a Zaalim (oppressor) and Innovator.

Therefore Abdur Rahmaan Mubaarak Puri Saheb writes:-
"To read two rakaats before Sunnat Salaah before Maghrib is established from Sahih (authentic) Ahaadeeth, which should be read between the Azaan and Iqaamat … .

Upon the completion of the Azaan of Maghrib without hesitation one should read Durood until the end of اللهمّ رب هذه الدعوت التامه then he should begin to make the Sunnat and the Sunnats of Maghrib should be read just like that of Fajr (i.e.short)." (Fataawa Ulama e Hadith Vol.4 pg 232)

The Shaikh ul Hadith of Daar ul Hadith Rahmaaniyya in Delhi, Molvi Ahmadullah Saheb said that a person who prevents the one from reading the two Sunnat before Maghrib or does not understand it to be Sunnat is a Zaalim (oppressor) and Bid`ati (innovator). (Fataawa Ulama e Hadith Vol.4 pg 235)

Conclusion:

Those Nawaafil which are not established from Nabi ρ himself and the Khulafaa e Raashideen, those which Nabi ρ himself had decided to be makrooh for those that understood the reading of it to be Sunnat, those very Nawaafil according to the Ghair Muqallideen are Sunnat and those who do not understand it to be Sunnat are Zaalims (oppressors) and Bidatis (innovators).

Respected readers, think, what is the Fatwa of these Ghair Muqallideen being based on? Did not Nabi ρ himself prevent us from understanding these nawaafil to be Sunnat?

The strange thing is that these people are placing a Fatwa without even thinking that who it is opposing? The condition of deduction is such that whatever comes in the mouth they say it.

The decision is yours. Is this conforming to the sunnat or contradicting it?

That Salaah which had become Qazaa without an excuse or with an excuse, to fulfil it is necessary.

1. It is narrated from Hadhrat Anas ibn Maalik τ that Rasulullaah ρ said that the person who forgot to read a Salaah, or stayed asleep, then he should fulfil it when he remembers. There is no Kaffarah for it except that. (i.e. besides the fulfilling of that Salaah). In this hadith, Hadhrat Qataadah has also mentioned these words " واقم الصلوة لذكرى , that establish Salaah for My remembrance." (Bukhaari Vol.1 pg 84, Muslim Vol.1 pg 241, and the words are from Muslim)

2. Hadhrat Anas ibn Maalik τ said that Nabi ρ said whosoever forgot to read Salaah or stayed asleep, then the Kaffaarah for it is that he must read it when he remembers it. (Muslim Vol.1 pg 241)

3. Hadhrat Anas ibn Maalik τ said that Nabi ρ said, when any one of you stays asleep or due to negligence lets a Salaah

remain, then he should read it when he remembers, because Allaah (الله عز و جل) said that establish Salaah for My remembrance. (Muslim Vol.1 241)

4. It is narrated from Hadhrat Jaabir ibn Abdullaah τ that Hadhrat Umar ibn Khattaab τ had come during the the battle of trench on the day the trench was going to be dug, after the sunset and had began to reproach the kuffaar. He said that O Rasulullaah ρ I did not read Asr Salaah until the sun had come close to setting. Nabi ρ said I also did not read Asr, then we reached Maqaam e Bathaan (name of place). Nabi ρ made whudhu and we also made whudhu for Salaah. Nabi ρ performed Asr Salaah after the sun had set and thereafter performed the Maghrib Salaah. (Bukhaari Vol.1 pg 83, Muslim Vol.1 227)

5. Hadhrat Abu Ubaidah (A.R.) narrates from his father Hadhrat Abdullaah ibn Mas`ood τ that he said that on the occasion of the Battle of Trench, the Mushrikeen had kept preventing Nabi ρ from reading four Salaahs so much so that whatever portion of the night Allaah had wished to pass had passed. Then Nabi ρ commanded Hadhrat Bilal τ (to give the Azaan). He gave the Azaan and thereafter the Iqaamat. Then he read Zohr, thereafter gave Iqaamat, read Asr, thereafter gave Iqaamat, read Maghrib and called out Iqaamat again and thereafter read Isha Salaah. (Tirmizi Vol.1 pg 43)

6. It is narrated from Hadhrat Abdullaah ibn Umar τ that he had said, whosoever forgot to read a Salaah, and then he remembered it whilst he was standing with the Imam for another Salaah. Then when the Imam turns to make salaam, then he should read the Salaah, which he first forgot and thereafter read the second Salaah. (Mua`tta Imam Maalik pg 155)

From the Mubaaarak Ahaadeeth mentioned, two things are established,

One is that whichever Salaah which are made Qadhaa deliberately, or unintentionally or due to remaining asleep, then it does fall off from his responsibility. Instead, to fulfil it is necessary.

Nabi ρ has given the command to perform those Salaah which were made Qadhaa due to forgetfulness or remaining asleep. Based on this the fulfilment of it is necessary. From here it is known that those Salaah which have been made Qadhaa without those excuses, to fulfil them is also necessary. When excuses (such as remainig asleep or forgetting) make the fulfilling of the Qadhaa necessary, then obviously to fulfil those Salaah which were made Qadhaa intentionally will also be necessary.

The second thing is this, that Allaah Ta`aala says "اقيموا الصلوة" (Establish Salaah), which includes these cases (when the time of Salaah comes in) as well as these cases also (when the Salaah was made Qadhaa) for whatever reason, Salaah nevertheless should be read, whether it is to be fulfilled in its time, or whether Qadhaa should be made of it, if it was not read in its time. Because in the case where a Salaah is not fulfilled, then upon the servant there will be one debt of Allaah remaining and it is apparent that without the fulfilment of a debt it does not fall of ones responsibility. Because of this Salaah will also not fall off ones responsibility until it is fulfilled, whether done in its time, or as a Qadhaa. Nabi ρ has said: - **"Fulfil the debt of Allaah. It is more rightful in being fulfilled." (Nasa`i Vol.2 pg 2). He ρ further said: "The debt of Allaah has more right that is will be fulfilled."**

Imam Nawawi (A.R.) said: - "This hadith, is a proof that the (Fardh) Salaah which is missed, to make Qadhaa of it is necessary, whether that Salaah was missed with an excuse eg: He

had slept away or had forgotten, or without an excuse. The reason of the restriction of forgetting in this Hadith is that this Hadith is explanation for the same cause. And because of this also, when Qadhaa is Waajib on a person with an excuse, then obviously it will Waajib to make Qadhaa also for a person without an excuse. (This is from the chapter of warning from the highest to the lowest.) A saying of Nabi ρ is that "He should fulfil it when he remembers" This is carried upon Istihbaab (i.e. where the carrying out of an action is meritorious, but the leaving out of which is not an offence.) Because, to fulfil a Salaah which was missed due to an excuse is also permissible, according to the authentic saying of which the explanation and proof has already passed. Some of the Ahle Zaahir have deviated by saying that those Salaah which were missed without an excuse, to make Qadhaa of it is not waajib. And he thought it is better to make Qadhaa of the missed Salaah in this way that by a person fulfilling the qadhaa of the missed Salaah, he is removed from the disobedience of it. This is an error from the one who said it and ignorance." (Nawawi Vol.1 pg 238)

The Qadhaa of a missed Salaah is also necessary according to the consensus of the Ummat, Therefore Allaamah Muhaamad ibn Abdur Rahman Shaafi`ee writes:- "واتفقوا على وجوب قضاء الفوائت" (Rahmatu Ummat pg 46)

The second thing is this that if the Salaah of many times becomes Qadhaa, then they should be fulfilled in sequence. Like how on the occasion of the battle of trench, three Salaahs of Nabi ρ and his Sahaabah τ were made Qadhaa, i.e. Zohr, Asr, and Maghrib, and at the time of Esha he began making qadhaa. He ρ read those Salaahs in sequence, first Zohr Salaah, then Asr Salaah and then Maghrib Salaah and thereafter Esha Salaah. It was not like this, that since it was the time of Esha Salaah, therefore he read Esha Salaah first and thereafter read the Qadhaa Salaahs. From this action of Nabi ρ this is established that if the Qadhaa Salaahs are few, i.e. five or less than five, then the missed Salaahs will be

fulfilled in sequence first before the Salaah of which time has come in. i.e. first fulfil the Qadhaa Salaahs and then read the Salaah of that time. Because of this, if any Salaah of the time has to be read without reading the missed Salaah, then the Salaah of the time will not be fulfilled. He should first read the Qadhaa Salaah and repeat the Salaah of the time. Hadhrat Abdullaah ibn Umar τ has given this Fatwa as it is apparent from Hadith number four. (Of course, this much is necessary to understand, that regarding the missed Salaah and Salaah of the time this sequence will apply to a Saahib e Tarteeb)

However, despite all these ahaadeeth, and the consensus of the ummat, contrary to this, the Ghair Muqallideen are saying that those Salaahs which were deliberately omitted, there is no Qadhaa for it and only Taubah and Istighfaar is sufficient. Therefore, Yunus Delwi Saheb writes:-

"If any Salaah was left out deliberately, and he wishes to make Qadhaa of it, I take an oath that Qadhaa of Salaahs are not established from hadith, instead, for such a person, Taubah and Istighfaar are sufficient." (Dastoor e Muttaqi pg 149)

Haafiz Abdullaah Roopari Saheb wrote: "After maturity, if there are few Salaahs which can be fulfilled with ease, should be fulfilled. If it is over a long period which to fulfil is difficult, then here it is sufficient." (Fataawa e Ahle Hadith Vol.1 pg 415)

Mufti Abdus Sattaar Saheb, the previous Imam of the Jamaat of the poor Ahle Hadith writes:-

"But the question is this, that why is there Qadhaa Salaah? The original is that in the beginning there was no command of making Qadhaa for the deliberate omitting of Salaah nor is there any case of this. Man sleeps, when he is awake then that is the time for it, if he forgets, when he remembers, then that is the time for it, if he is unconscious, when he gains consciousness then that

is the time for it. Then where is the case of Qadhaa. The reality is based on carnal desires, it is left out of which there is no Qadhaa and the offence of which is that he becomes a Kaafir. For this reason to beocme a Muslim he must make Taubah." (Fataawa e Sataariyya Vol.4 pg 154)

Gahir Muqallideen Shaikh ul Hadith Ismaeel Salafi Saheb wrote based on the different cases of leaving out Salaah: "In the first case where there is no excuse, due to carelessness he left out Salaah deliberately, this falls under "ترك", for which there is no qadhaa. This is included in
"من ترك الصلوة متعمداً", besides Taubah e Nasooh there is no other remedy. (Rasul e Akram ki Namaaz pg 115)

Conclusion:

The authentic ahaadeeth establishes this that if any Salaah is missed with or without an excuse to make Qadhaa of it is necessary. Nabi ρ has given the command for the fulfilling of it. Upon this is also the consensus of the Ummat (اجماعِ امت). However the Ghair Muqallideen are saying that no! there is no Qadhaa for a Salaah which was missed intentionally, only Taubah and Istighfaar are sufficient.

You decide, is this according to the Ahaadeeth or contrary to it? Remember that the Ghair Muqallideen regarding this mas`ala are following Dawood Zaahiri as it is apparent from the explanation of Imam Nawai (A.R.)

Wudhu is a condition for Sajdah e Tilaawat, without wudhu, Sajdah e Tilaawat is not permissible.

1. Hadhrat Abdullaah ibn Umar τ narrates from Nabi ρ that he ρ said, no Salaah will be accepted without wudhu. (Tirmizi Vol.1 pg 13)

2. Hadhrat Naafi` narrates from Hadhrat Abdullaah ibn Umar τ that Nabi ρ said that no person should make Sajdah e Tilaawat without wudhu (Baihaqi Vol.2 pg 325)

From the two mentioned Ahaadeeth e Mubaarakah this is being established that to make Sajdah e Tilaawat wudhu is a condition. Without wudhu, Sajdah e Tilaawat is not permissible. Sajdah e Tilaawat is from Salaah, just as in the same way as intention is a condition for Salaah, the covering of the sattar (private parts) is also a condition, the facing of the Qiblah is also necessary, in it is Takbeer (to say Allaahu Akbar) and Tasbeeh (to say Subhan Allaah) also, Nabi ρ said that no Salaah will be accepted without the wudhu.

When wudhu is a condition for Salaah, it will also be for Sajdah e Tilaawat, because it is from Salaah, wudhu will be necessary. In the same manner that is not permissible to read Salaah without wudhu, similarly it will also not be permissible to make Sajdah e Tilaawat without wudhu. It is for this reason that Hadhrat Abdullaah ibn Umar τ gave the Fatwa upon this that any person without wudhu cannot make Sajdah e Tilaawat.
But the Ghair Muqallideen say that which is contrary to these two Ahaadeeth e Mubaarakah, that to make Sajdah e Tilaawat without wudhu is permissible.

Therefore the Shaikh of the Ghair Muqallideen Yunus Delwi Saheb writes: "To make this Sajdah with wudhu is better, however to make it without wudhu is permissible and correct." (Dastoor e Muttaqi pg 123)

Nawaab Waheed uz Zamaan writes: "And Sajdah e Tilaawat without wudhu is also perrmissilble, however to make it with wudhu is Mustahab (preferable). (Nuzulul Abraar Vol.1 pg 146)

This Fatwa of Sajdah e Tilaawat being permissible without wudhu is also found in Fataawa e Nazeeriyya Vol.1 pg 571 upon which the Akaabir (elders) of the Ghair Muqallideen e.g. Mia Nazeer Hasan Saheb, Molwi Abdus Salaam Saheb, Muhammad Abul Hasan Saheb, Muhammad Husain Batalwi Saheb etc. endorsement is found.

Conclusion:

Nabi ρ's general saying establishes that to make Sajdah e Tilaawat without wudhu is not permissible, A Senior Sahaabi Hadhrat Abdullaah ibn Umar τ is giving the Fatwa that no person without wudhu must make Sajdah e Tilaawat. How can there be any other reason or way besides this, that Sajdah e Tilaawat without wudhu is not permissible. But the Ghair Muqallideen are saying that no! For a person to make Sajdah e Tilaawat without wudhu is also permissible.

Respected reader, you decide, Is this conforming to the hadith, or contradicting it?

A Musaafir will continue to make Qasr Salaah until he makes intention to stay in one place for fifteen days.

1. Hadhrat Mujaahid (A.R.) said that when Hadhrat Abdullaah ibn Umar τ decided to stay for fifteen days he dismounted the saddle of the horse and performed four rakaakts of Zohr Salaah. (Musanniff ibn Abi Shaibah Vol.2 pg 455)

2. It is narrated from Hadhrat Mujaahid (A.R.) that when Hadhrat Abdullaah ibn Umar τ, decided to stay in Makkah Mukarramah for fifteen days, then he dismounted from the saddle of the horse and performed four rakaats. (كتاب الحجة للامام محمد - Vol.1 pg 170)

3. Hadhrat Mujaahid (A.R.) narrates that Hadhrat Abdullaah ibn Umar τ said, when you are a traveller, and made a place to stay in for fifteen days, then read the entire Salaah, and if you are not sure (how many days you will be staying there for) then make qasr. (كتاب الآثار للامام ابي حنيفة برواية الامام محمد – pg 39)

4. Hadhrat Mujaahid (A.R.) narrates from Hadhrat Abdullaah ibn Umar τ and Hadhrat Abdullaah ibn Abbas τ that they said, when you make intention to stay for fifteen days, then read the entire Salaah. (Jaami ul Masaateed Vol.1 pg 404)

5. Hadhrat Saeed ibn Musayyab (A.R.) said when you come to any town to stay for fifteen days then read the entire Salaah. (Kitaabul Hujjah Vol.1 pg 171)

It is established from the mentioned ahaadeeth and statements of the Sahaabah ρ that a traveller, if he intends to stay in a place for fifteen days or more, then he should read the entire Salaah and not make Qasr, otherwise he will make Qasr. Senior Sahaabah e Kiraam such as Hadhrat Abdullaah ibn Umar τ and Hadhrat Abdullaah ibn Abbas τ had acted upon this very ruling and they use to give this Fatwa to others. And the apparent thing is that they themselves did not make this specification because of what entered their minds. Rather it was either because they had definitely heard it from Nabi ρ or they had seen Nabi ρ doing it. Because of this, this Fataawa of theirs will be in the law of Hadith a Marfoo`. In the same way, one great Taabi`ee Hadhrat Saeed ibn Musayyab (A.R.) also has given the Fatwa on this according to an authentic narration.

However, contrary to these statements of the Sahaabah τ the Ghair Muqallideen say that on the intention of staying for four days there will be no more Qasr and the entire Salaah must be read. Therefore Thanaa ullah Amritsaree Saheb writes: "According to the muhadditheen, with the intention to stay for three days to make Qasr is permissible, but for four days qasr is nor permissible. (Fataawa e Thanaaiyya Vol.1 pg 601)

Conclusion:

The above-mentioned statements of the sahaabah establishes that with the intention of staying for fifteen days Qasr will not be made, but according to the Ghair Muqallideen Qasr will be made with the intention of staying for four days and the entire Salaah must be read. You decide, is this conforming or contradicting Ahaadeeth?

Two Azaans for Jumu`ah is Masnoon (Sunnat)

Hadhrat Saaib ibn Yazeed τ said that in time of Rasulullaah ρ, Hadhrat Abu Bakr τ and Umar τ the Azaan for Jumu`ah use to be at the time the Imam sat on the Mimbar. Then when the era of the Khilaafat of Hadhrat Uthmaan τ came and the quantity of people had increased, then Hadhrat Uthmaan τ gave the command to give a third Azaan (i.e. the first Azaan for Jumu`ah). Therefore upon inclination, that Azaan was given and this had become a separate Sunnat. (Bukhaari Vol.1 pg 125, Abu Dawood Vol1 pg 155, Nasa`i Vol.1 pg 156)

It is established from the mentioned Ahaadeeth that in the time of Nabi ρ and the time of the rightly guided Khulafaa, in the era of Hadhrat Abu Bakr and Umar τ there was one Azaan which was given in front of the Imam by the Mimbar. In the era of the Khilaafat of Hadhrat Uthmaan Ghani τ when there were more people, he had given the command to give one more Azaan. This Azaan was given in the presence of the Sahaabah e Kiraam and not one of them objected it. Therefore this Azaan, by consensus of the Sahaabah e Kiraam, has become a common thing. In every era after it this action has continued. No Imam, Jurist or Mujthid has objected to it. How could they have contradicted it? Nabi ρ's command was to hold firm on his ρ and the Khulaffa e Raashideen's Sunnat.

This Azaan was given with the command of Hadhrat Uthmaan Ghani τ, because this was his Sunnat, and according to the command of Nabi ρ it is necessary to carry it out. At first, this Azaan was given on a raised platform, later on it was given in the Masjid.

Today, in every Islaamic state this Azaan is given in the Masjid. In Hajj, those who have the good fortune of going to see with their own eyes that in Makkah Mukarramah in Masjid e Haram

and in Masjidun Nabawi ρ this Azaan is given. All praise is due to Allaah the writer was a witness to this also with his own eyes. There is no objection to this Azaan being given in the Masjid.

However, contrary to the Mubaarak Ahaadeeth, consensus of the Ummat, actions of the Ummat, those Ghair Muqallideen which have given the Fatwa of twenty rakaats Taraweeh Salaah as an innovation (Bid`at), have also decided that this Azaan also is an innovation (Bid`at).

These Ghair Muqallideen are saying that this Azaan because it is not established from Nabi ρ, thus it cannot be a Sunnat. This is the reason that the Ghair Muqallideen do not give this Azaan, instead that Masjid in which it is given they have declared it to be Bid`at and prevent one from it.

Therefore Molwi Muhammad Saheb Jonaghari writes: "In the time of Nabi ρ and after, in the time of the two Khulafaa, this second Azaan also was not present, yes in the time of Hadhrat Uthmaan τ it was made present in order to for the time to be known. It was called out in the high place of the bazaar, not in the Masjid. Then in our time in those Masaajid in which two Azans are given that is a clear innovation and in no way can it be permissible." (Fataawa e Sataariyya Vol.3 pg 85)

Molwi Ubaidullah Saheb writes: "On the road to the Masjid of Jumu`ah Salaah one Azaan is established, from Hadhrat Uthmaan Ghani τ a second Azaan is established outside the Masjid. Then there should be adequate and the second Azaan should not be called out." (Fataawa e Sataariyya Vol.3 pg 85)

Molwi Abdur Rahmaan Saheb Mudarris e Madrassah Mia Delwi concludes: "To give one Azaan at the time of the Khutbah on the day of Jumua`ah is Masnoon, there is no need for two Azaans …" because of this, the Azaan of Hadhrat Uthmaan τ which is called

the first Azaan called out in the Masjid is an innovation (Bid`at)" (Fataawa e Ulama e Hadith Vol.2 pg 179)

A historian (Mia Muhammad Mianwaali) is the first Imam of these strange Ghair Muqallideen Abdul Wahaab Saheb writes: "In the Musaajid of the Ahnaaf and the Ghair Muqallideen there were two Azaans of Jumu`ah as it is the custom on the Ahnaaf today. Moulana Mawsoof Abdul Wahaab Saheb narrates: "I gave the first Azaan with one knee inside and one outside of the Masjid." From this confident person there is proof for the issuing of a Fatwah of it being a bid`at and the Fatwa of the second Azaan given when the time the Imam sits at the Mimbar is correct. Today, in most Masaajid of the Ahle Hadith this way of Nabi ρ is acted upon. (مجموعہ رسائل مکمل نماذ و ہدایہ النبی pg 21)

Conclusion:

The first Azaan of Jumu`ah which is continuing from command of the Khalifa Hadhrat Uthmaan τ and upon which the Sahaabah e Kiraam had agreed upon, which has been given in all the Islaamic kingdoms since the fourh century without any objections, with which no Imam, Jurist or Mujaahid had any differences, what, today because that same Azaan it is being given inside the Masjid has become a Bid`at in era of the Ghair Muqallideen or an astonishment. If the action of the Khulafaa e Raashideen and Sahaabah e Kiraam also is Bid`at and upon which the entire Ummat inherit and act upon is also a Bid`at, then tell the Ghair Muqallideen Sunnat is in who's actions will it be? Again it will mean that from the fouth century the entire Ummats action was upon Bid`at and today also the Imams and servants who call out the Azaan in the Haramain Shareefain are comiting the crime of Bid`at?

Respected readers, this is the action of the Ghair Muqallideen with Hadith. Now you decide is this conforming or contrary to the Hadith?

There are ten rakaats of Sunnat e Muakkadah before and after the Jumu`ah Salaah

1. Hadhrat Ali τ said that Rasulullaah ρ use to read four rakaats before and fours rakaats after the Jumu`ah Salaah and make Salaam at the end of the fouth rakaat. (معجم طبراني اوسط بحوالة نصب الراية Vol.2 pg 206)

2. Hadhrat Abdullaah ibn Abbas τ said that Rasulullaah ρ use to read four rakaats before and four rakaats after Jumu`ah and never use to separate between them. (i.e. never made Salaam after two rakaats.) (Majma uz Zawaaid Vol.2 pg 195)

3. It is narrated from Hadhrat Abu Hurairah τ that Nabi ρ said whoever reads Salaah on the day of Jumu`ah should read four rakaats before the Jumu`ah Salaah and four rakaats after it. (رواه النجّار بحواله كنز العمال Vol.7 pg 749)

4. Hadhrat Abu Hurairah τ narrates from Nabi ρ that Nabi ρ said whoever reads Salaah on the day of Jumu`ah should read four rakaats before and four rakaats after Jumu`ah. (Muslim Vol.1 pg 288)

5. Hadhrat Saalim (A.R.) narrates from his father Hadhrat Abdullaah ibn Umar τ that Nabi ρ use to read two rakaats Salaah after Jumu`ah. (Bukhaari Vol.1 pg 128, Muslim Vol.1 pg 288, and the words are from Muslim.)

6. Hadhrat Abdullaah ibn Umar τ said that Nabi ρ use to read two rakaats Salaah after Jumu`ah Salaah at his house. (Abu Dawod Vol.1 pg 161)

7. It is narrated from Hadhrat Qataadah (A.R.) that Hadhrat Abdullaah ibn Mas`ood τ use to also read four rakaats of Salaah before Jumu`ah and four rakaats Salaah after Jumu`ah. (Musannif Abdur Razzaaq Vol.3 pg 247)

8. Hadhrat Abu Abdur Rahmaan Salami (A.R.) said that Hadhrat Abdullaah ibn Mas`ood τ gave the command that we must read four rakaats of Salaah before Jumu`ah as well as four rakaats after Jumu`ah, until Hadhrat Ali τ came and gave us the command that after Jumu`ah we must first read two rakaats Salaah and thereafter four rakaats. (Musannif Abdur Razzaaq Vol.3 pg 247)

9. Hadhrat Abu Abdur Rahmaan Salami (A.R.) said that Hadhrat Abdullaah ibn Mas`ood τ use to teach us that we must read four rakaats after Jumu`ah Salaah until we had heard the saying of Hadhrat Ali τ that after Jumu`ah Salaah read six rakaats. Hadhrat Abu Abdur Rahmaan (A.R.) said that we began to read six rakaats after Jumu`ah. Hadhrat Ataa` (A.R.) said that Hadhrat Abu Abdur Rahmaan Salami (A.R.) use two first read two rakaats after Jumu`ah and thereafter four rakaats. (معجم طبراني كبير Vol.9 pg 310, Musannif ibn Abi Shaibah Vol.2 pg 132)

10. Hadhrat Abu Abdur Rahmaan (A.R.) narrates from Hadhrat Ali τ that he said whosoever reads Salaah after Jumu`ah should read six rakaats of Salaah. (Tahaawi Vol.1 pg 233)

Imam Tirmizi (A.R.) said: "It is narrated from Hadhrat Abdullaah ibn Mas`ood τ that he used to read four rakaats before Jumu`ah Salaah and four rakaats after it, and it is narrated from Hadhrat

Ali τ that he commanded us to read two rakaats first and thereafter four rakaats after the Jumu`ah Salaah." (Tirmizi Vol.1 pg 117)

11. Hadhrat Jublah ibn Suhaim (A.R.) narrates from Hadhrat Abdullaah ibn Umar τ that he used to read four rakaats before Jumu`ah and never used to separate between them (i.e. never made Salaam after two rakaats) and after Jumu`ah he use to first read two rakaats and thereafter four rakaats. (Tahaawi Vol.1 pg 231)

12. Hadhrat Ataa` ibn Abi Rabaah (A.R.) said that when Hadhrat Abdullaah ibn Umar τ read Jumu'ah Salaah then he used to read six rakaats after it, first two rakaats and then four. (Musannif ibn Abi Shaibah Vol.2 pg 132, Tirmizi Vol.1 pg 117)

13. Hadhrat Abu Bakr ibn Abi Musa narrates from his father Hadhrat Abu Musa Ash`ari τ that he used to read six rakaats after Jumu`ah Salaah. (Musannif ibn Abi Shaibah Vol.2 pg 132)

14. Hadhrat Muhammad ibn Abi Muntashir (A.R.) narrates from Hadhrat Masrooq (A.R.) that Hadhrat Masrooq (A.R.) use to read six rakaats after Jumu`ah, two rakaats and then four. (Musannif ibn Abi Shaibah Vol.2 pg 132)

The above - mentioned Ahaadeeth and statements of the Sahaabah τ are establishing that there are ten Sunnats of Jumu`ah, four rakaats Sunnat e Muakkiddah Salaah before Jumu`ah and six rakaats Sunnat e Muakkiddah Salaah after Jumu`ah, because Hadith numbers 1 an 2 establishes that Nabi`s ρ habit was that he ρ used to read four rakaats before Jumu`ah and four rakaats after Jumu`ah. Hadith number 3 and 4 establishes that Nabi ρ and the Sahaabah e Kiraam τ also gave the command to read four rakaats before and four rakaats after Jumu`ah, therefore the saying and

action of Hadhrat Abdullaah ibn Mas`ood τ was on this as it is apparent from Hadith numbers 7,8 and 9. It is known from Hadith 5 and 6 that Nabi ρ use to also read two rakaats Salaah after Jumu`ah. This is dominant, that Nabi ρ use to read his two rakaats of Salaah together with these four rakaats which was his ρ`s habit, and which was taught to the Ummat of Nabi ρ.

One sign is this that the Khulafaa e Raashid, Hadhrat Ali τ had given this command to the people that they must read six rakaats after the Jumu`ah, it is clear from Hadith number 8,9 and 10. It is clear that in order for Hadhrat Ali τ to give the command to read six rakaats after Jumu`ah he had most certainly taken it from the sayings and actions of Nabi ρ, because it is not possible that he would give a command that is contrary to the sayings and actions of Nabi ρ based on his opinion and analogy, nor was there any thing which had even entered in his opinion or analogy. Due to this, it will be said that either he had seen Nabi ρ reading six rakaats after Jumu`ah or he had found some guidance from Nabi ρ regarding it.

The second sign is this that Hadhrat Abdullaah ibn Umar τ who was counted as the most strict in following of the Sunnat from amongst the last of the Sahaabah e Kiraam τ, his habit was also this, to read six rakaats after the Jumu`ah Salaah as is apparent in hadith nubers 11 and 12. The certain thing is that either he had seen Nabi ρ reading six rakaats after Jumu`ah or he had found some guidance from Nabi ρ regarding it. Nevertheless both Hadhrat Ali and Hadhrat Abdullaah ibn Umar τ had acted upon the four rakaats. Nabi ρ did it himself and taught it to the Ummat. All of this are signs that Nabi ρ had read with the four rakaats after Jumu`ah two rakaats also, because of this it is established that after Jumu`ah the six rakaats are Sunnat e Muakkdah. The general practice of the Sahaabah e Kiraam and the great Taabi`een was also this, that they used to read six rakaats after Jumu`ah Salaah, accordingly Hadhrat Abu Musa Ash`ari τ used to read six rakaats after Jumu`ah as it is apparent

in Hadith number 13. Hadhrat Abu Abdur Rahmaan Salami and Hadhrat Masrooq (A.R.) also use to read six rakaats after Jumu`ah as it is established from Hadith number 13 and 14. Based on these Ahaadeeth and statements of the Sahaabah τ the Jurists have said that there are ten rakaats Sunnat e Muakkadah of Jumu`ah, four before Jumu`ah and six after Jumu`ah.

However, contrary to all these Ahaadeeth and statements of the Sahaabah τ the actions of the Ghair Muqallideen is, that they have given a choice in the Sunnats after the Jumu`ah Salaah. If they wish they can either read two or four rakaats and their general action is to read two rakaats. There is has been witnessed that **they read two** rakaats and go, and they also **prevent those** who read six rakaats, that why are you reading six, read two.
Hakeem Saadiq Siyaalkuti Saheb writes:
"Make it your habit to read either two or four rakaats of Sunnat after Jumu`ah according to Sunnat e Paak of Nabi ρ." (Salaat e Rasul pg 396)

Nawaab Waheed uz Zamaan Saheb writes: -
"And whoever wishes to read Salaah after Jumu`ah should read four rakaats in the Masjid and at home either two or six rakaats if he wishes, and there is no Sunnat e Muakkadah before before Jumu`ah.

Conclusion:

To read four Sunnats before Jumu`ah is established from both the actions and sayings of Nabi ρ. Nabi ρ himself used to read it and had also given the command for the Ummat to read it. The great Sahaabi Hadhrat Abdullaah ibn Mas`ood τ's action was also this, that he himself use to read four rakaats before Jumu`ah Salaah and he had also taught this to his companions. However, Nawaab Waheed uz Zamaan Saheb is saying that there is no Sunnat e Muakkadah before before Jumu`ah. To read six rakaats after Jumu`ah is established from the actions of Nabi ρ himself, also

Khulafa e Raashid Hadhrat Ali ρ gave the command to read six rakaats after Jumu`ah. Hadhrat Abdullaah ibn Umar, Abu Musa Ash`ari τ and great Taabi`ee such as Hadhrat Abu Abdur Rahmaan Salami and Hadhrat Masrooq (A.R.)'s action was also that they read six rakaats after Jumu`ah. Because of this to read six rakaats after Jumu`ah is proven. The Ghair Muqallideen who claim to be acting on the Hadith, according to them there is a choice, to act on both read either two or four.

Now respected reader, the choice is yours, decide, is this conforming or contradicting the Hadith?

When the Days of Eid and Jumu`ah coincide then the Jumu`ah Salaah does not fall off, to read it is Fardh.

1. Imam Zuhri (A.R.) said that Abu Wa`eed (A.R.) explained a Hadith to me that on the occasion of Eid ul Adhaa he was present with Hadhrat Umar ibn Khattaab τ. He performed Salaah before the sermon (Khutbah). The he addressed the people and said: "O people! Nabi ρ prevented the fasting on the two days of Eid. One of them is Eid ul Fitr and the other is that in which you eat the meat of your (Qurbaani) sacrifice."

Abu Wa`eed (A.R.) said then he was present for the Eid Salaah with Hadhrat Uthmaan Ghani τ which had coincided with the day of Jumu`ah. He also performed the Salaah before the Khutbah. Thereafter he gave the sermon and said: "O People! This is such a day in which two Eids coincide, whoever wishes to wait for Jumu`ah can wait, and whoever wishes to go and return,

from my side has permission.” (Bukhaari Vol.2 pg 825, Mu`atta Imam Maalik pg 165)

2. Hadhrat Umar ibn Abdul Aziz (A.R.) said that in the time of Rasulullaah ρ two Eids had coincided, then Nabi ρ said that whoever loves that he will sit (for Jumu`ah Salaah) from the people of the household, then he should sit without any difficulty. (Kitaab ul Ummam Vol.1 pg 239)

3. Hadhrat Nu`maan ibn Basheer τ said that Nabi ρ used to read in the two Eids and Jumu`ah Salaah (سبح اسم ربك الاعلى and هل اتاك حديث الغاشية), many times the days of Eid and Jumu`ah had coincided with each other, then also Nabi ρ use to also read both these Surahs in both the Salaahs. (Tirmizi, Vol.1 pg 119, Nasai` Vol.1 pg 178)

Hadhrat Imam Muhammad via the narration of Qaadhi Abu Yusuf (A.R.) narrated from Imam Abu Hanifah (A.R.) that Nabi ρ said when two Eids (i.e. Eid and Jumu`ah) coincide on one day then the first is Sunnat (i.e. it being Waajib is established from the Sunnat) and the second is Fardh (Jumu`ah) and none should leave out any one of the two. (Jaami us Sagheer pg 113)
“Hadhrat Imam Shaafi`ee (A.R.) said that when the day of Eid ul Fitr is the same as the day of Jumu`ah, then the Imam should perform the Eid Salaah at the time it becomes permissible to read it, then whoever was from out of the city, then it is permissible for them, if they wish they can return to their families and they do not have to return to read Jumu`ah Salaah. They have a choice that he can either wait to read Jumu`ah, or go and come back if they are able to, and if they do not do this, then there is no harm in this also Insha-Allaah. Imam Shafi`ee said that it is not permissible for anyone of the city to leave out the gathering for Jumu`ah unless he has a valid excuse even though it be the day of Eid. There will be no difference in the law regarding the day of Eid ul Adhaa, if it was in such a city in which Jumu`ah is permissible, as well as Eid Salaah. For the villagers and there will

be a choice and the people of Mina will not perform the Salaah of Eid ul Adhaa nor Jumu`ah Salaah, because it is not a big city." (Kitaabul Umam Vol.1 pg 239)

Allaamah Zarqaani (A.R.) (passed away in the year 1122 A.H.) said, Ali, Ibn Wahab, Muttarraf and Ibn Maajishoon (A.R.) said that according to the narration of Imam Maalik, they have all negated the narration of Abuil Qaasim in which there is prevention (i.e. that this narration is not authentic) and upon the permissibility of this (i.e. that for the people of the village etc. to leave out Jumu`ah is permissible) is the saying of Imam Shaafi`ee and Hanafi (A.R.) (شرح الزرقانى على مؤطا الامام مالك Vol.1 pg 364)

Allaamah Badrudeen A`inee (A.R.) said: - "And in a Mahallaah (part of a town) and Ashraaf (amongst nobles) Hadhrat Uthmaan Ghani τ performed Eid Salaah then he gave the sermon and said, for you today two Eids have gathered, therefore from the people of the household whoever likes that he should wait for it, can wait for it. Whoever wishes to return to his home has permission from my side. We will perform the Jumu`ah Salaah. Hadhrat Uthmaan τ's saying (انا مجمعون) that we will definitely perform the Jumu`ah Salaah is a clear proof of this command, that to leave out Jumu`ah Salaah is not permissible. Ibn Abdul Barr (A.R.) said that the discarding of the Jumu`ah and Zohr Salaah due to the Eid Salaah is (متروك) left out, rejected, not reliable, how can this be reliable. The permission given by Hadhrat Uthmaan τ to leave out Jumu`ah was to the people of the household upon whom Jumu`ah was not Waajib." (البناية في شرح الهداية Vol.2 pg 1019)

Ibn Hazam (A.R.) said: "When the day of Jumu`ah and Eid join then first read the Eid Salaah, thereafter read the Jumu`ah (which is necessary) **and no authentic Hadith is contrary to this.** Abu Muhammad (Ibn Hazam) said that Jumu`ah is Fardh and Eid is (تطوع) Nafl, and (تطوع) a Nafl cannot make a Fardh be discarded." (المحلى للابن حزم Vol.3 pg 93)

It is established from the Noble Verses of the Qur`an, the Mubaarak Ahaadeeth and sayings of the Muhadditheen that if Eid and Jumu`ah gather on one day, to read both Salaahs is necessary. The compulsion of Jumuah does not fall away because of the Eid Salaah. The reason is that Jumu`ah is Fardh which is established by the mubaarak (blessed) verse of the Qur`an " يآيّها الّذين آمنوا اذا نودى للصلوة ....الاية" under which all the Jumu`ah Salaahs will come under and in which there are no exceptions. Likewise in the treasure of Ahaadeeth, such Ahaadeeth are found from which it becomes known that Nabi ρ had given very stern warnings for the leaving out of the Jumu`ah Salaah without an excuse. The demand of these Ahaadeeth is that Jumu`ah must be read and never left out irrespective of the day it occurs. This was also the Mubaarak action of Nabi ρ, that if Eid and Jumu`ah had both coincided on one day, then Nabi ρ use to read both Salaahs. **It is not established from any authentic Ahaadeeth that Nabi ρ had read Eid Salaah and not read Jumu`ah Salaah on any such occasion.** Instead, the habit of Nabi ρ was that he ρ on such occasions use to read both Salaahs. Hadhrat Nu`maan ibn Basheer τ said that if Eid and Jumu`ah coincided on one day then on that day Eid and Jumu`ah Salaah, in both Nabi ρ used to read it. (As is clear from hadith number 3) This hadith clearly establishes that Nabi ρ used to read both Salaahs on such an occasion. Nevertheless, Nabi ρ had given permission to those people of the household upon whom Jum`uah was not even (Fardh), that you go if you wish, as it is apparent from hadith number 2. The habit of the Khalifa e Raashid Hadhrat Uthmaan Ghani τ was also this, that if Jumu`ah and Eid had both gathered on the same day, then he use to read both Salaahs. Nevertheless, he had given permission to those people of the household upon whom Jum`uah was not even Fardh, that if you wish to stay for Jumu`ah, then stay, and if you wish to go, then go.

The Aimmah e Mujtahideen, Hadhrat Imam Abu Hanifah (A.R.), Hadhrat Imam Maalik (A.R.) and Hadhrat Imam Shafi`ee (A.R.) all say that if Jumu`ah and Eid coincide, then both Salaahs must

be read with compulsion, and none of them will be left out. Nevetheless, for the villagers upon whom Jumu`ah is not Fardh, is concession, as the words of Jaami` us Sagheer, Kitaabul Umm, and Sharah of Zarqaani testify. The mas`ala of Ibn Hazam is the same also as it is clear from the wording of Mahallaa (محلی). Allaamah ibn Abdul Barr Maaliki (A.R.) said that whoever said that the Jumu`ah Salaah will be left out because of the Eid Salaah, the saying left out, rejected, are not reliable and not worthy of being considered.

Contrary to the noble verses of the Qur`an, Mubaarak Ahaadeeth and sayings of the Muhaditheen, the Ghair Muqallideen say that day where the Eid and Jumu`ah coincide, the compulsion of the Jumu`ah Salaah falls and there is concession for the Jumu`ah Salaah, if he wishes he can perform it and if not, then not.

Mia Nazeer Husain Saheb was asked: - "If coincidently both the day of Eid and Jumu`ah had coincided, then is there any concession in the performing of the Jumu`ah Salaah or not. Zaid had not read the Jumuah on such a day and said that I had revived a dead Sunnat, how can he say this?

In the answer to this question his student Molwi Abdur Rahim writes:- "When the days of Eid and Jumu`ah gather, then on that day there is a choice, whosoevers heart desires to read Jumu`ah can read it and whoevers heart does not wish to read does not have to read. And on those such days Zaid did not read the Salaah and said that I had revived a dead Sunnat, then to say this is good. (Fataawa e Nazeeriyya Vol.1 pg 573)

NOTE: This is an authenticated Fatwa of Mia Nazeer Husain Saheb Delwi

Nawaab Waheed uz Zamaan writes: -
"And when Jumu`ah and Eid coincide on one day, then there will be concession in the Jumu`ah and the apparent thing is this

concession is general for all the people as well as the Imam." (Arful Jaadi pg 43)

Nawaab Waheed uz Zamaan Saheb Raqmatraaz: -
"And Jumu`ah on the day of Eid there is general concession for the people of the town and besides them. If they wish they may read both, and if they wish they can only read Eid Salaah and not Jumu`ah. Nevertheless regarding the leaving of the Zohr Salaah there is a difference of opinion." (Nuzulul Abraar Vol.1 pg 155)

Conclusion:

The compulsion of Jumu`ah is established from clear Nass (proof from Qur`an) in which there is no exception. Nabi ρ has given severe warnigs to the ones who left out the performing of Jumu`ah without a valid excuse. In your time if both Eid and Jumu`ah gather on the same day then you read both, certainly for those upon whom Jumu`ah is not (Fardh) (i.e. the people of the village) they have been permitted to go if they wish. The people of the city all have to read Jumu`ah and Eid Salaah with you. Khalifa e Raashid Sayyidina Uthmaan Ghani τ's habit was also the same. The saying of the Aimmah e Mujtahideen is also the same that if Jumu`ah and Eid both gather on the same day, then both Salaah will be read. Allaamah Ibn Abdul Barr Maaliki (A.R) has decided that those people who omit the Jumu`ah Salaah because of the Eid Salaah their saying is (متروك) left out, rejected, not reliable and not worthy of being considered. However the Ghair Muqallideen have looked elsewhere and stipulated that there is concession in the leaving of the Jumu`ah which means that if anyone reads then it is correct, and if anyone does not read it, then that is also correct. Instead, according to them, not to read the Jumu`ah Salaah is the reviving of a dead Sunnat. (ولا حول ولا قوة الا بالله)

Respected reader is the opposing of the Noble Qur`an and the action Nabi ρ in order to act according to your opinion and pleasure conforming to the Sunnat or contradicting it?

In Janaazah Salaah one should only raise the hands for the first Takbeer not for the remainder.

1. It is narrated from Hadhrat Abu Hurairah τ that when Rasulullaah ρ used to read Janaazah Salaah, then he use raise his hands for the first Takbeer and keep the right hand on top of the left hand. (Tirmizi Vol.1 pg 206, Darr e Qutni Vol.2 pg 75, Baihaqi Vol.4 pg 38)

2. It is narrated from Hadhrat Abdullaah ibn Abbas τ that Rasulullaah ρ only raised his hands for the first Takbeer in Janaazah Salaah, then never did it a second time. (Darr e Qutni Vol.2 pg 75)

3. Hadhrat Waleed ibn Abdullaah (A.R) said that I saw Hadhrat Ibraahim Nakha`ee (A.R) when he used to read Janaazah Salaah, then he raised both his hands and said the first Takbeer, and he did not raise his hands for the remaining Takbeers and he said four Takbeers. (Musannif ibn Abi Shaibah Vol.3 pg 296)

4. It is narrated from Hadhrat Hasan ibn Ubaidullah (A.R.) that he use to raise his hands for the first Takbeer in Janaazah Salaah. (Musannif ibn Abi Shaibah Vol.3 pg 296)

"Hadhrat **Imam Maalik (A.R.)** said that in Janaazah Salaah you must raise you hands in Janaazah Salaah for the first Takbeer only, Hadhrat ibn Qaasim (A.R.) said that I was present with him

many times for the Janaazah Salaah, he use to read the Janaazah Salaah, I did not see him rasie his hands except for the first Takbeer. Ibn Qaasim (A.R.) said that Hadhrat Imam Maalik (A.R.) said that it is not permissible to raise your hands in Janaazah Salaah except for the first Takbeer." (Al Mudawantul Kubraa Vol.1 pg 176)

Allaamah Imam ibn Hazam said: - "That the raising of the hands should not be done except for the first Takbeer in Janaazah Salaah, Because besides the raising of the hands for the first Takbeer, to raise the hands for the remaining Takbeers does not come in any other Nass (proofs from where masaa`il are derived).And Hadhrat Abdullaah ibn Mas`ood and Abdullaah ibn Abbas τ have both narrated this, and Hadhrat Imam Abu Hanifah and Sufyaan Thauri (A.R.) have also said this." (Al Muhallaa Vol.3 pg 181)

Qaadhi Showqaani said: "The jist of the discussion is that regarding the rasing of the hands for besides the first Takbeer, **there is no such Hadith established from Nabi ρ which is worthy of objecting this proof.** The sayings and actions of the Sahaabah e Kiraam is not a proof, because the appropriate thing is that in Janaazah Salaah there must be only time to make the first Takbeer short."

The above mentioned Ahaadeeth and statements of the Sahaabah establishes that in Janaazah Salaah the raising of the hands should only be made for the first Takbeer, and not for the remaining Takbeers. Because Hadith numbers 1 and 2 establishes that Nabi ρ used to only raise his hands for the first Takbeer and not for the reaminder. Allaamah ibn Hazam and Qaadhi Showqaani say that **it is not established from any clear and authentic Hadith that Nabi ρ used to raise his hands for the remaining Takbeers.** Great Sahaabah e Kiraam life Hadhrat Abdullaah ibn Mas`ood and Abdullaah ibn Abbas τ used to only raise their hands for the first Takbeer, such great Taabi`een like

Hadhrat Ibraahim Nakha`ee and Hasan ibn Abdullaah (A.R.) also use to only raise their hands for the first Takbeer. Hadhrat Sufyaan Thauri and Imam Abu Hanifah, Imam Maalik, Ibn Hazam and Qaadhi Showqaani (A.R.) were also in favour of this.

However, contrary to the Ahaadeeth and statements of the Sahaabah, according to the Ghair Muqallideen, the hands should be raised with every Takbeer; according to them not only is it permissible but rather preferable (Mustahab).

Therefore Molwi Ubaidullah Rahmaani Saheb writes: - "Regarding the raising of the hands for the Takbeers of Janaazah Salaah there are no authentic (sahih marfoo`), either by saying, action or verbal Ahaadeeth present. Certainly it is definitely established from some Sahaabah from (موقوف) narrations and again with the narrating of some weak Ahaadeeth to raise the hands with the Takbeers is permissible, not Bidat or prevented." (Fataawa e Thanaaiyya Vol.2 pg 50)
Thanaaullah Amritsri Saheb says: - "To raise the hands with every Takbeer is Mustahab" (Fataawa e Thanaaiyya Vol.2 pg 50)

Conclusion:

Nabi ρ used to only rasie his hands for the first Takbeer in Janaazah Salaah not for the remainder and Nabi ρ and none of the Khulafaa e Raashideen raised the hands for every Takbeer and it is not established from any authentic demands. To conform to the action of Nabi ρ in Janaazah Salaah is not to raise the hands for every Takbeer. The Ghair Muqallideen have decided that the raising of the hands for every Takbeer of Janaazah Salaah is Mustahab (preferable), instead of leaving out the raising of the hands for every Takbeer of Janaazah Salaah.

You decide whether this conforms to or contradicts the Ahaadeeth?

In Janaazah Salaah it is not permissible to read any recitation in place of Surah Faatihah and another surah.

1. Hadhrat Abu Hurairah τ said that I heard Nabi ρ say that when you read the Janaazah Salaah for any deceased person then make sincere Du'aaa for him. (Abu Dawood Vol.2 pg 100, Ibn Maajah pg 109)

2. Hadhrat Imam Maalik (A.R.) narrates from Hadhrat Saeed Maqburi (A.R.) and his father that they asked Hadhrat Abu Hurairah τ that how do you read Janaazah Salaah? He said, By Allaah I will certainly tell you, I took the Janaazah from the house of the deceased, when it was placed (for Janaazah Salaah) then I called out the Takbeer and praised Allaah, sent salutations upon Nabi ρ and thereafter made Du'aa, (اللهمّ عبدك وابن عبدك وابن امتك كان يشهد ان لا اله الا انت وانّ محمدا عبدك ورسولك وانت اعلم به اللهمّ ان كان محسناً فزد في احسانه وان كان مسياً فتجاوز عنه سيّآته اللهمّ لا تحرمنا اجره ولا تفتنّا بعده) (Mua`tta Imam Maalik Vol.1 pg 209)

3. Hadhrat Imam Maalik (A.R.) narrates from Hadhrat Naafi`(A.R.) that Hadhrat Abdullaah ibn Umar τ never made Qiraat in Janaazah Salaah (Mua`tta Imam Maalik Vol.1 pg 210)

4. It is narrated from Hadhrat Abdullaah ibn Mas`ood τ that he was asked a question regarding the Qiraat in Janaazah Salaah, he said that Rasulullaah ρ never stipulated for us any special words or Qiraat to be read. In one narration it says no special Du'aa or Qiraat was specified. When the Imam calls out the Takbeer then you also call out the Takbeer and the best words (Thanaa and Du'aa etc) is

whatever you wish, and in one narration it is mentioned that the best Duaa is what you chose. (Badaa e us Sanaai` Vol.1 pg 313, Mugni ibn Quddaamah Vol.2 pg 485)

5. It is narrated from Hadhrat Abdur Rahmaan ibn Auf and Abdullaah ibn Umar τ that they both also said in Janaazah Salaah no portion of the Qur`an must be read. (Badaa e us Sanaai` Vol.1 pg 313)

6. It is narrated from Hadhrat Ali τ that when he read the Janaazah Salaah upon the deceased then first he praised Allaah Ta`aala and thereafter read Durood upon Nabi ρ and thereafter he said, (اللهمّ اغفرلاحيائنا وامواتنا والّف بين قلوبنا واصلح ذات بيننا واجعل قلوبنا على قلوب خيارنا) (Musannif ibn Abi Shaibah Vol.3 pg 295)

7. Hadhrat **Imam Shaafi`ee (A.R.)** said in Janaazah Salaah after the first Takbeer begin with the praising of Allaah, after the second Takbeer recite Durood upon Nabi ρ. After the third Takbeer make Du'aa for the deceased, and after the fourth Takbeer make Salaam. (Musannif ibn Abi Shaibah Vol.3 pg 295, Musannif ibn Abdur Razzaaq Vol.3 pg 491)

8. Ibraahim Nakha`ee and Imam Shafi`ee (A.R.) said in Janaazah Salaah there **is no Qiraat.** (Musannif ibn Abi Shaibah Vol.3 pg 299)

9. Hadhrat Ayoob (A.R.) narrated from Hadhrat Muhammad ibn Seereen (A.R.) that he did not make Qiraat in Janaazah Salaah. (Musannif ibn Abi Shaibah Vol.3 pg 298, Musannif ibn Abdur Razzaaq Vol.3 pg 491)

10. Hadhrat Hajjaaj said that he asked Hadhrat Attaa ibn Abi Rabaah a question regarding the Qiraat in the Janaazah

Salaah, we did not hear this. (Musannif ibn Abi Shaibah Vol.3 pg 299)

11. Hadhrat Abu Taa`oos narrates from his son Taa`oos and Hadhrat Ataa` ibn Abi Rabaahah (A.R.) that both these pious personal negated the Qiraat in the Janaazah Salaah. (Musaniff ibn Abi Shaibah Vol.3 pg 299)

12. Hadhrat Bakr ibn Abdullaah (A.R.) said that he did not know of any Qiraat in Janaazah Salaah. (Musaniff ibn Abi Shaibah Vol.3 pg 299)

13. Hadhrat Mufaddal (A.R.) said that he enquired from Hadhrat Maimoon (A.R.) whether there was Qiraat or Durood upon Nabi ρ in the Janaazah Salaah. He said that he didn't know. (Musaniff ibn Abi Shaibah Vol.3 pg 299)

14. Hadhrat Muhammad ibn Abdullaah ibn Abi Saarah (A.R.) said that he enquired from Hadhrat Saalim (A.R.) whether he must read Qiraat in the Janaazah Salaah, he then said in the Janaazah Salaah there is no Qiraat. (Musaniff ibn Abi Shaibah Vol.3 pg 299)

15. Hadhrat Abu Minhaal (A.R.) said that he enquired from Hadhrat Abu Aaliyya (A.R.) regarding the reading of Surah Faatihah in the Janaazah Salaah. He said that his opinion is that Surah Faatihah will only be read in those Salaahs which have Ruku and Sajdah. (Musaniff ibn Abi Shaibah Vol.3 pg 299)

16. Hadhrat Musa ibn Ali (A.R.) narrates from his father that he had enquired from Hadhrat Fadaalah ibn Ubaidah τ that upon the deceased (i.e. in Janaazah Salaah) must Qiraat be read. He said no. (Musaniff ibn Abi Shaibah Vol.3 pg 299)

17. Hadhrat Saeed (A.R.) narrates from his father Abu Burdah (A.R.) that someone asked him whether he can read Qiraat in Janaazah Salaah, he replied in the negative. (Musaniff ibn Abi Shaibah Vol.3 pg 299)

18. Hadhrat Hammaad (A.R.) said that he had enquired from Hadhrat Ibraahim Nakha`ee whether Qiraat can be made in Janaazah Salaah? He replied in the negative. (Musannif ibn Abdur Razzaaq Vol.3 pg 491)

19. Hadhrat Talhah ibn Abdullaah ibn Auf (A.R.) said that he read Janaazah Salaah behind Hadhrat Abdullaah ibn Abbas τ. He read Surah Faatihah and a Surah audibly enough for us to hear. When he finished the Salaah, he grabbed his hand and asked him regarding this. He said that this is Sunnat and true. (Nasai` Vol.1 pgt 218)

20. Hadhrat Talhah ibn Abdullaah ibn Auf (A.R.) said that he read Janaazah Salaah behind Hadhrat Abdullaah ibn Abbas τ. He heard him read Surah Faatihah when he completed the Salaah. Hadhrat Talhah (A.R) caught his hand and asked as to why he made Qiraat, He said yes, this is true and Sunnat. (Nasai` Vol.1 pg 218)

Hadhrat Sahnoon (A.R.) said that he enquired from Hadhrat Abdur Rahmaan ibn Qaasim (A.R.) what should be read upon the deceased according to the saying of **Imam Maalik (A.R.)**. He said that there is Du'aa for the deceased. Hadhrat Sahnoon (A.R) asked if there is Qiraat in the Janaazah Salaah according to the saying of Imam Maalik? He replied in the negative.

Ibn Wahab (A.R.) said that a lot of the people of knowledge eg: Hadhrat Umar ibn Khattaab τ, Hadhrat Ali ibn Abi Taalib τ, Hadhrat Abdullaah ibn Umar τ, Hadhrat Ubaidah ibn Fadaalah τ, Hadhrat Abu Hurairah τ, Hadhrat Jaabir ibn Abdullaah τ, Hadhrat Waathala ibn Asqa` τ, Hadhrat Qaasim ibn Muhammad

τ, Hadhrat Saalim ibn Abi Abdullaah τ, Hadhrat Saeed ibn Musayyab τ, Hadhrat Ataa` ibn Abi Rabaah τ and Hadhrat Yahyah ibn Saeed (A.R.) never used to make Qiraat in Janaazah Salaah, Ibn Wahab (A.R.) said that Hadhrat Imam Maalik (A.R.) said in our city (i.e. Madinah Tayyibah) that is not practised on, Janaazah Salaah is only Du'aa, I found the people of knowledge of his city upon the same.

The above mentioned Ahaadeeth and Statements of the Sahaabah establishes this that in reality the right of the deceased in Janaazah Salaah is Du'aa and seeking of forgiveness (istighfaar). It is for this reason that in it should be the praising of Allaah, durood upon Nabi ρ thereafter Du'aa for the deceased. How is the general manner of Du'aa? In Janaazah Salaah to read Surah Faatihah and another Surah in the manner of Qiraat is incorrect.

Nabi ρ himself use to make Duaa for the deceased also and also use to give the command to the others to make sincere Duaa. **However it is not established from one authentic Hadith also that Nabi ρ used to make Qiraat in Janaazah Salaah, or give the command to the others to do so.**

Allaamah ibn Qayyim (A.R.) said: -
"The intended thing with Janaazah Salaah is to make Duaa for the deceased, and in the same manner the Duaas of Janaazah Salaah has been narrated many times from Nabi ρ and that Surah Faatihah or Durood Shareef has not been narrated." (Zaad ul Ma`aad Vol.1 pg 141)

He writes further: -
"It is mentioned from Nabi ρ that he had commanded the recitation of Surah Faatihah upon the deceased, and this chain of narration is not authentic" (Zaad ul Ma`aad Vol.1 pg 141)

This is the reason why the Khulafaa e Raashideen, who were the gardians of the Sunnats of Nabi ρ, have not narrated that Nabi ρ

used to read Surah Fatihah in the Janaazah Salaah. When it is clearly narrated that Hadhrat Umar τ and Hadhrat Ali τ never made Qiraat in Janaazah Salaah, it is clear from the wording of Mudawwana e Kubra, Hadith number 6 establishes that Hadhrat Ali Murtadaa τ when he read Janaazah Salaah then he praised Allaah in the beginning, thereafter he sent salutations upon Nabi ρ, thereafter he made Duaa for the deceased. In the same way other great Sahaabah e Kiraam such as Hadhrat Abu Hurairah τ, Hadhrat Abdur Rahmaan ibn Auf τ, Hadhrat Abdullaah ibn Umar τ, Hadhrat Fadaala ibn Ubaidah τ, Hadhrat Jaabir ibn Abdullaah τ and Hadhrat Waathala ibn Asqa` τ also did not recite Qiraat in Janaazah Salaah, as it is clear from Ahaadeeth numbers 2, 3, 4, 5, and 16 and from the explanation given by Hadhrat ibn Wahab in Mudawwana e Kubra.

Such great Taabi`een and Tab e Taabi`een like Hadhrat Imam Sha`bi, Muhammad ibn Seereen, Ibraahim Nakha`ee, Ataa ibn Abi Rabaah, Taa`oos, Bakr ibn Abdullaah, Hadhrat Maimoon, Saalim ibn Abdullaah, Qaasim ibn Muhammad, Abul Aaliya Ar Riyaahi, Abu Burdah, Saeed ibn Musayyab, Yahyah ibn Saeed and Hadhrat Imam Maalik (A.R.), were also not in favour of there being Qiraat in Janaazah Salaah, as it is apparent from Ahaadeeth numbers 7 to 8, again it is also in the explanation of Hadhrat ibn Wahab (A.R.)

From the following of the Ahaadeeth and statements of the Sahaabah, it is established that in the era of the Khairul Quroon where the headquarters of Islaam was Madinnah Tayyibah, Makkah Mukarramah, Kufa, Basrah, etc. to read Janaazah Salaah was definitely not a practice.

Therefore, Imam Maalik (A.R.) of Madinah Tayyibah and seven Jurists from Madinah Tayyibah from which Hadhrat Saeed ibn Musayyab, Qaasim ibn Muhammad and Saalim ibn Abdullaah (A.R.) are all saying this that there is no Qiraat in Janaazah Salaah. This is the reason that Imam Maalik had said that in our

city (Madinah Tayyibah) there is no practice of Qiraat in Janaazah Salaah.

The Imam of Makkah Mukarramah, Hadhrat Ataa` ibn Abi Rabaah (A.R.) was also not of the opinion of there being Qiraat in Janaazah Salaah. Hadhrat Ataa` ibn Abi Rabaah was asked a question regarding this. He said we have not heard that there is also Qiraat in Janaazah Salaah. He prevented Qiraat in Janaazah Salaah. It is estimated from this that in Makkah Mukarramah this was not practiced upon.

In Kufa, Hadhrat Ali Murtadaa τ, Imam Sha`bi, Ibraahim Nakha`ee, Maimoon ibn Nahraan and Imam Abu Hanifah (A.R.) were not of the opinion that there is Qiraat in Janaazah Salaah. The Fatwa of Imam Sha`bi was there is no Qiraat in Janaazah Salaah, instead after the first Takbeer is Thanaa, after the second is Durood, after the third is Duaa and after the fourth is Salaam.

The Imam of Basrah Hadhrat Muhammad ibn Seereen who had found the grace of Hadhrat Abu Hurairah and Anas ibn Maalik τ, he too was also of the opinion of there being no Qiraat in Janaazah Salaah.

It is clear as daylight from these cases, that in the era of the Khairul Quroon, Qiraat in Janaazah Salaah was definitely not practised.

Further supporting this is the incident where once Hadhrat Abbas performed Janaazah Salaah and made Qiraat in a loud voice, after Salaah was completed, Hadhrat Talhah ibn Abdullaah (A.R.) held his hands and asked him in astonishment did you make Qiraat in Janaazah Salaah? He answered and said yes, this is true and Sunnat. Hadhrat Talhah (A.R.) asked the question in this manner because according to him this was something new and strange which was definitely contrary to what the practise was.

The remaining issue is the Qiraat that Hadhrat Abdullaah ibn Abbas gave and specified as Sunnat, is not a Sunnat e Mustalah (سنت مصطلحہ) which means, not the Sunnat of Nabi ρ. It has been said before that it is not established from any authentic Hadith that Nabi ρ read Qiraat in Janaazah Salaah or gave the command for others to do it. Nor is it established from the Khulafaa e Rasshideen or the strictest follower of the Sunnat Hadhrat Abdullaah ibn Umar τ. The saying of Imam Maalik (A.R.) is that there was no practise of Qiraat in Janaazah Salaah in Madinah Tayyibah. If Qiraat in Janaazah Salaah was Sunnat, then all the people of Madinah would have left out a Sunnat and no one would have practised it. Duly this statements meaning is 'literal Sunnat' that means 'way'. He meant and Allaah knows best, that in place of Hamd and Thanaa, Surah Faatiha etc. is also a way that if anyone does it then also this is correct. In the treasures of Ahaadeeth in many places you get the Sahaabah e Kiraam using the word Sunnat, but there, what is meant is the literal meaning of Sunnat and not the Jurisprudic meaning of Sunnat. However, these are the Ahaadeeth and Statements of the Sahaabah from which the Jurists said that the Sunnat in Janaazah Salaat is that after the first Takbeer is Thanaa, after the second is Durood, after the third is Duaa and after the fourth is Salaam. To make Qiraat in Janaazah Salaah is contrary to the Sunnat, yes if anyone in place of Thanaa or Duaa reads Surah Faatiha then, it is permissible to do so.

However, contrary to all of these Ahaadeeth and Aathaar (statements) of the Sahaabah, the Ghair Muqallideen say that in Janaazah Salaah to read **Surah Faatihah is necessary**. If anyone does not read it, then his Salaah will be null and void. Without condition there will be no Janaazah Salaah.

Therefore, the Shaikhul Hadith of the Ghair Muqallideen Molwi Yunus Quraishi Saheb writes: "After the first Takbeer it is necessary for the Imam and followers to read Surah Faatihah

after Duaa e Ma`sura…………….. if this is not done by the Imam and followers in the Janaazah Salaah then the Salaah become null and void." (Fataawa e Ulama e Hadith Vol.5 pg 185)

Nawaab Sideeq Hasan Khan Saheb writes: - (بدور الاهلة Vol.1 pg 92) Therefore Janaazah Salaah is one Salaah from the Salaahs regarding which Nabi ρ has said "There is no Salaah except with Surah Faatihah"

Conclusion:

Nabi ρ and the Khulafaa e Raashideen neither read Surah Faatihah or gave the command to read it in Janaazah Salaah nor is it established from any authentic Ahaadeeth. When it comes in a Ahaadeeth that Hadhrat Umar and Ali τ did not make Qiraat in the Janaazah Salaah, in the same manner again great Sahaabah e Kiraam Taabi`een, and Tab`e taabi`een also were not in favour of Qiraat in Janaazah Salaah.

In the Khairul Quroon the headquarters of Islaam was Madinah Tayyibah, Makkah Mukarramah, Kufa, Basrah, where it was not practiced. It is known that to give the decision to read Surah Faatihah in the Janaaazah Salaah or to specify it as a condition is incorrect. If this was Sunnat, then the Khulafaa e Raashideen and those after them and in the remaining era of the Khairul Quroon would have been the practise. *Strangely, the Ghair Muqallideen who have not even considered this have made the decision that it is a Sunnat, rather they are giving the Fatwa that it is in the rank of a condition of a Fardh, that if Surah Faatihah is not read in Janaazah Salaah, then there is Salaah.*

The question is that Hadhrat Umar τ, Hadhrar Ali τ, Hadhrat Abu Hurairah τ and Abdullaah ibn Umar τ besides them again Sahaabah, Taabi`een and Tab`e taabi`een, millions of the pious men who were not in favour of the recitation of Surah Faatihah in Janaazah Salaah, are all their Salaahs null and void and useless.

And all of the deceased are buried without Salaah. Can this be the courage of the Ghair Muqallideen that they have ruled all of there Salaahs to be null and void. Besides them none is so daring.

Respected reader decide, to declare the Salaah of great Sahaabah e Kiraam, Taabi`een, Tab`e taabi`een and millions of their followers as null and void and to pronounce it as useless, is this conforming or contrary to the Hadith?

In Janaazah Salaah one should read the Duaa etc. in a soft voice, not in a loud voice.

"Call your Rabb in humility and in secrecy. Verily He does not like those who overstep the limits." (Surah 7: verse 55)

1. Hadhrat Abu Amaamah ibn Sahl ibn Haneef τ said that in Janaazah Salaah the Sunnat is that after the first Takbeer, read Surah Faatihah softly, thereafter call out three Takbeers and after the last there will be Salaam. (Nasai` Vol.1 pg 218)

2. Hadhrat Jaabir ibn Abdullaah τ said that Rasulullaah ρ, Hadhrat Abu Bakr and Umar τ had not specified anything for us in the Janaazah Salaah. (Ibn Majah pg 109, Musnad e Ahmad Vol.3 pg 357)

Hafiz ibn Hajar Asqalaani (A.R.) said that Hadhrat Imam Ahmad (A.R.) via the way of Abu Zubair narrated a Hadith from Hadhrat Jaabir ibn Abdullaah τ: "For us in Janaazah Salaah Rasulullaah ρ, Hadhrat Abu Bakr and Umar τ had not specified anything," in this Hadith the explaination of the word اَبَاحَ is that it comes in the meaning of قدّر. That means that (had not specified). But as far I know the meaning of the word اَبَاحَ is جَهَرَ. (As though the

meaning is this that Nabi ρ, Hadhrat Abu Bakr and Umar τ had not read Janaazah Salaah with a raised voice.) (Talkhees ul Jabeer Vol.2 pg 123)

Imam Nawawi (A.R.) said: "Our companions agree that if the Janaazah Salaah is read during the day, the Qiraat must be read softly and if it is during the night, then there are two ways which are both correct, the first way is that what majority of the scholars practise upon, that if it was in the night also then too the Qiraat will be softly. The second way that remains is that it will be read audibly. Regarding the Duaa, then without any difference of opinion this will be done softly. (Nawawi Sharah Muslim Vol.1 pg 311)

Hadhrat Imam Ibn Quddaamah (A.R.) Hambali said that in Janaazah Salaah the Qiraat and Duaa will be read softly and regarding this between the scholars there is no difference of opinion. (المغنى لابن قدامة Vol.2 pg 486)

Qaadhi Showqaani (A.R.) said that majority of the Ulama say that in Janaazah Salaah to read audibly is not Mustahab and they have taken the saying of Hadhrat Abdullaah ibn Abbas τ which already passed as a proof, i.e. he said that he read audibly for everyone to know what the Sunnat is, and the majority of the scholars (Jamhuur) (Nailul Awtaar Vol.4 pg 66) also take a proof from here that it means that his desire was to read inaudibly.

The Quraanic verses, Mubaarak Ahaadeeth and consensus of the Ummat establishes that in Janaazah Salaah, Thanaa, Durood, Duaa etc. will be read will a soft voice. Because in reality Janaazah Salaah is a Duaa for the deceased person and regarding Duaa Allaah has said "Call your Rabb in humility and in secrecy."

Hadhrat Abu Amaamah ibn Sahl ibn Haneef τ declared the recitation of the Qiraat in Janaazah Salaah softly as Sunnat, as is

clear from Hadith number 1 and in the Mubaarak Hadith of Hadhrat Jaabir ibn Abdullaah τ the word which comes أَبَاحَ has be interpreted to mean جَهَرَ by Haafiz ibn Hajar Asqalaani (A.R.). In this case the meaning of the Hadith is that Nabi ρ, Hadhrat Abu Bakr τ and Hadhrat Umar τ had not read Janaazah Salaah with a raised voice. From this it is apparent that to read Thanaa, Durood and Duaa with a soft voice is Masnoon (Sunnat).

It is established from the explanations of Hadhrat Imam Nawawi Shafi`ee, Imam Ibn Quddaamah Hambali and Qaadhi Showqaani (A.R.) that in Janaazah Salaah, Duaa etc. is to be read softly by consensus of agreement and there is no difference of opinion regarding this matter.

Warning: - We had mentioned in a previous chapter that according to us in Janaazah Salaah to read Surah Faatihah in place of Hamd and Thanaa is permissible, because of this, if anyone wishes to read Surah Faatihah with Thanaa then should do so in a soft voice. Contrary to the noble verses, Mubaarak Ahaadeeth and consensus of the Ummat, the Ghair Muqallideen say that in Janaazah Salaah to read with a loud voice is more virtuous, instead Sunnat.

Accordingly, Molwi Abul Hasanaat Ali Muhammad Saeedi writes: -

"In view of the proofs to read with a raised voice in Janaazah Salaah is more virtuous and strong." (Fataawa Ulama e Hadith Vol.5 pg 152)

Therefore Ahamd Saheb Patwi writes: - "In Janaazah Salaah to read Surah Faatihah and the Surah after it is permissible, instead Sunnat." (Fataawa e Thanaaiyya Vol.2 pg 56)

Conclusion:

The Noble verses of the Qura`an, Mubaarak Ahaadeeth and consensus of the Ummat, all three establishes that Janaazah Salaah should be read softly. Allaah Ta'aalah gives the command to make Duaa softly, Hadhrat Abu Umaamah τ declared it as Sunnat, Hadhrat Jaabir τ, Nabi ρ, Hadhrat Abu Bakr and Hadhrat Umar τ negated the reading of the Janaazah Salaah loudly. The consenses of the Ummat is upon of this view.The dictates of these proofs is that it is not permissible to read Janaazah Salaah loudly, however the Ghair Muqallideen have turned a blind eye to this and declared the reading of Janaazah Salaah loudly as more virtuous and strong, instead Sunnat.

Ponder, conrtary to Allaah and His Rasul ρ and the action of the entire Ummat, can any action be more virtuous? Can any action be which is not established from Nabi ρ or the Khulafaa e Raashideen be declared as Sunnat? This is also worthy of consideration that there are four groups of the Ahle Sunnat, (i.e. Hanafi, Maaliki, Shaafi`ee and Hambali) and not one of them are of the opinion that the voice must be raised in Janaazah Salaah. Can such an action which is not practiced in the rules any one of the groups from the Ahle Sunnah be more virtuous, strong and Sunnat?

Respected reader, now you decide to give a ruling of such an action being Sunnat which was not practised for fourteen centuries, is this conforming or contradicting the Hadith?

Remember, only the people of Shaibah read Janaazah Salaah loudly, and the Ghair Muqallideen follow them in this practise of theirs, In the Haramain Shareefain also Janaazah Salaah is read softly.

To read Janaazah Salaah in the Masjid without an excuse is Makrooh.

1. Hadhrat Abu Hurairah τ said that Rasulullaah ρ said that whoever reads Janaazah Salaah in the Masjid, then for him is no reward. (Abu Dawood Vol.2 pg 98, Ibn Majah pg 110, Masanaf Abdur Razzaaq Vol.3 pg 527)

2. Hadhrat Saalih Mawlaa Tu'ammah (A.R.) narrates from Hadhrat Abu Hurairah τ that he said that Rasulullaah ρ said that whoever reads Janaazah Salaah in the Masjid, there is no reward for him, Hadhrat Saalih (A.R.) said that he had seen many people who had met Nabi ρ and Hadhrat Abu Bakr τ when they came for the Janaazah Salaah and did not find any place in the Masjid for Janaazah Salaah, then they returned and did not read Janaazah Salaah in the Masjid. (محنة المعبود فى ترتيب مسند الطيالسى ابى داود Vol.1 pg 165)

3. Hadhrat Saalih Mawlaa Tu ammah (A.R.) narrates from Hadhrat Abu Hurairah τ that he said that Rasulullaah ρ said that whoever reads Janaazah Salaah in the Masjid, there is no reward for him. Hadhrat Saalih (A.R.) said that the companions of Rasulullaah ρ used to leave when there was little or no place for Janaazah Salaah. They never read Janaazah Salaah in the Masjid. (Musanif ibn Abi Shaibah Vol.3 pg 364)

4. Hadhrat Saalih Mawlaa Tu ammah (A.R.) narrates from those Sahaabah and Taabi`een who had met Hadhrat Abu Bakr τ and Hadhrat Umar τ stated that when there was little or no place for Janaazah Salaah, they used to leave. They never read Janaazah Salaah in the Masjid. (Musanif ibn Abi Shaibah Vol.3 pg 365)

5. Hadhrat Katheer ibn Abbas τ said that he knew (in the time of Nabi ρ) that no one had read Janaazah Salaah in Masjid un Nabawi ρ (Musanif ibn Abi Shaibah Vol.3 pg 365, Masanaf Abdur Razzaaq Vol.3 pg 527)

6. Hadhrat Waail ibn Dawood said that he heard that when Nabi ρ's son Ibraahim had passed away, Nabi ρ read the Janaazah Salaah in the Maqaa`id (back of the place of Salaah) (Abu Dawood Vol.2 pg 98)

7. Hadhrat ibn Jareeh (A.R.) said that he asked Hadhrat Naafi` (A.R.) whether Hadhrat Abdullaah ibn Umar τ regarded the reading of Janaazah Salaah in the middle of the graves to be Makrooh? He said that they had read the Janaazah Salaah of Hadhrat Ayesha τ and Hadhrat Abu Umaamah τ in the middle of Baqi`. On the day they read the Janaazah Salaah of Hadhrat Ayesha τ the Imam was Hadhrat Abu Hurairah τ, and Hadhrat Abdullaah ibn Umar τ was also present. (Sunan e Kubra Bayhaqi Vol.2 pg 435, Musanif Abdur Razzaaq Vol.3 pg 525)

8. Hadhrat Ayesha τ narrated that when Sa`d ibn Abi Waqaas τ passed away in the year 55 A.H., then the wives of Nabi ρ sent a message that the people must pass in the Masjid with his Janaazah so that they can make Duaa for him. Accordingly, the people had done this. The Janaazah was kept infront of their rooms. They made Duaa and thereafter the Janaazah was taken to the Door of Janaaiz, which is at the back. This news had reached the pures wives of Nabi ρ that the people had understood this action to be a fault and were saying that the Janaazah was not suppose to enter the Masjid. This news also reached Hadhrat Ayesha τ. She said: "How quick the people are in declaring something as a fault of which they have no knowledge. They are finding a fault wih us in making the Janaazah pass the Masjid,

whereas Nabi ρ had read the Janaazah Salaah here inside the Masjid." (Muslim Vol.1 pg 313)

9. Hadhrat Ibn Abi Zi`b (A.R.) naraated from Hadhrat Sa`eed ibn Abi Sa`eed Maburi (passed away in the year 125 A.H.) that he saw the guards of Marwaan ibn Hakam. They were removing and preventing the people from reading Janaazah Salaah in the Masjid (وفاء الوفا خيار دار المصطفى Vol.2 pg 531)

10. Hadhrat Katheer ibn Zaid (A.R.) said that he saw the guards of Hadhrat Umar ibn Abdul Aziz (A.R.) prevent the people from reading Janaazah Salaah in the Masjid. (وفاء الوفا خيار دار المصطفى Vol.2 pg 531)

11. Hadhrat Ibn Shihaab Zuhri (A.R.) said that when anyone use to pass away then on the occasion of the burial Nabi ρ use to go to perform the Salaah. When Nabi ρ presence was difficult (and it become difficult for Nabi ρ to go), then the Sahaabah e Kiraam began to take the deceased close to the house of Nabi ρ, Nabi ρ use to perform the Janaazah Salaah in the place of Janaaiz. This cutom continues till today. (وفاء الوفا خيار دار المصطفى Vol.2 pg 532)

12. Hadhrat Ibn Shihaab Zuhri (A.R.) said that Hadhrat Sa`eed ibn Musayyab τ informed me that Hadhrat Abu Hurairah τ said that Nabi ρ straightened the rows of the people in the place of Janaazaah Salaah and called out four Takbeers. (Bukhaari Vol.1 pg 177)

13. It is narrated from Hadhrat Abdullaah ibn Umar τ that the Jews came to Nabi ρ with a man and a woman from amongst them who had committed adultery. He had commanded that they be pelted. Accordingly, close to the place of Janaaiz they were pelted in the Masjid. (Bukhaari Vol.1 pg 177)

Hadhrat Imam Maalik (A.R.) said that I regard the keeping of the Janaaza in the Masjid to be makrooh. Yes, if the Janaazah is kept close to the Masjid for the Janaazah Salaah, then there will be no harm for the person in reading in the Masjid. And those who follow an Imam performing the Janaazah Salaah, then too there will no harm if he is reading in the Masjid due to there being no space outside because of the people. (Al Mudawana Al Kubra Vol.1 pg 177)

Hadhrat Imam Muhammad (A.R.) said, Janaazah Salaah should not be read in the Masjid. And it has reached us like this from Hadhrat Abu Hurairah τ. In Madinah Tayyabah, the place of Janaaiz is outside of the Masjidun Nabawi ρ, and this is the same place that Nabi ρ read Janaazah Salaah. (Mu`atta Imam Muhammad pg 165)

The research of Allaamah Ibn Qayyim

Allaamah Ibn Qayyim (A.R.) said that the correct view is what we mentioned ealier, **and the Sunnat of Nabi ρ and his way was to read Janaazah Salaah outside the Masjid, unless there is some excuse.** Both ways are permissible, however the more virtuous of the both is that the Janaazah Salaah should be read outside the Masjid. (زاد المعاد فى خير العباد Vol.1 pg 140)

From the discussion of the mentioned Ahaadeeth, Statements of the Sahaabah and Sayings of the Muhadditheen, the following is established.

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1. In the initial era after the migration to Madinah Tayyibah, when a Sahaabi use to pass away, then Nabi ρ used to take the Janaazah from its house to the place of burial and use to read the Janaazah Salaah. However, when the Sahaabah felt that this was difficult and burdensome for Nabi ρ to do,

then they began to bring the deceased to the threshold of the house and near the House of Nabi ρ where there was a place where they decided that the deceased would be kept. Nabi ρ was informed. Nabi ρ came to the specified place and performend the Salaah as in Hadith number 11.

2. This specific place was outside the Masjid of Nabi ρ towards the western wall. In this same fixed place Nabi ρ use to perform Janaazah Salaah. The name of this same palce was Mawdi e Janaaiz and Musallaah e Janaaiz, as is clear from the explanation of Hadhrat Imam Muhammad (A.R.).

3. In this same place did Nabi ρ perform the Janaazah Salaah of the King of Abysinnia. Close to this same place the two adulterers male and female of the Jews were pelted. Accordingly it is clear from the Ahaadith numbers 12 and 13 of Bukhaari Shareef.

4. In this Mawdi e Janaazah Nabi ρ performed the Janaazah of his son Ibraahim τ, as is apparent from the Hadith number 6 in Abu Dawood.

5. Until the time of a great Taabi`ee like Hadhrat Ibn Shihaab Zuhri (A.R.) who passed away in the year 125 A.H. it was the custom to read the Janaazah Salaah in the Mawdi e Janaaiz in Madinah Tayyibah as is clear from Hadith number 11.

6. Nabi ρ did not regard the performing of Janaazah Salaah in the Masjid as good. Perhaps it is because of this that Nabi ρ said that whoever reads Janaazah Salaah in the Masjid, he will not get any reward for it. Hadith 1, 2 and 3.

7. According to the explanation of Hadhrat Katheer ibn Abbas τ, in the era of Nabuwaat, no one read Janaazah Salaah in the Masjid of Nabi ρ. As it is clear from Hadith number 5.

8. The practise of the Sahaabah e Kiraam τ the way of Nabi ρ was also that they also used to read Janaazah Salaah outside the Masjid, so much so that if due to the quantity of people if there was no more place outside of the Masjid for Janaazah Salaah, then the Sahaabah e Kiraam who were at the back use to return without performing it. They never read Janaazah Salaah in the Masjid. In the same way also the Sahaabah e Kiraam also did not like the entering of the Janaazah in the Masjid. It is because of this that the Sahaabah τ objected when the pure wives of Nabi ρ said that the Janaazah of Hadhrat Sa`d ibn Abi Waqaas τ must be brought into the Masjid near their rooms so that they could make Duaa and said that before the Janaazah did not enter the Masjid[1], as from Ahaadeeth numbers 2, 3, 4 and 8.
9. The Janaazah Salaah of Hadhrat Umme Salamah and Ayesha τ was read Salaah outside the Masjid as it is apparent in Hadith number 7.

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[1] Futher in this Hadith it is stated that when this news had reached Hadhrat Ayesha τ then she became angry and said: " How quickly have the people forgotten, whereas Nabi ρ read the Janaazah Salaah of Hadhrat Ibn Baidaa τ." The purpose of this saying of Hadhrat Ayesha τ according to the practise of the Janaazah Salaah of Ibn Baidaa τ was outside the Masjid in Mawdi e Janaaiz. Nevertheless on this occasion they had come into the Masjid because of the large quantity of people. From this Hadhrat Ayesha τ understood that Janaazah Salaah was in the Masjid. Perhaps this is the reason that no Sahaabi had narrated this saying of Hadhrat Ayesha τ. From this it is apparent that Sayyidinah Ayesha τ was mistaken, otherwise how can it be, that one occasion which occurred amongst the Sahaabah that no one of them remembered it, that all of them had forgotten and only Hadhrat Ayesha τ remembered. Secondly, the saying of Hadhrat Katheer ibn Abbas τ that "I myself know that in the time of Nabuwaat, no one read Janaazah Salaah in Masjidun Nabawi ρ" this also is a clear proof that Sayyidinah Ayesha τ was mistaken.

10. In the era of the Sahaabah e Kiraam, Hadhrat Marwaan ibn Hakam τ and Hadhrat Umar ibn Abdul Aziz (A.R) specified gaurds for this work, for the protection the Masjid and also to prevent the people performing Janaazah Salaah in the Masjid, as is clear from Hadith 9 and 10.

11. Hadhrat Imam Maalik (A.R.) also had declared the performing of Janaazah Salaah in the Masjid as Makrooh, as it is clear from the wording of Mudawan e Kubra.

12. The research of Allamaah ibn Qayyim (A.R.) is to read Janaazah Salaah outside the Masjid is the Sunnat of Nabi ρ and his way, for this reason it is more virtuous to read it outside the Masjid.

In light of these Ahaadeeth, statements of the Sahaabah τ and sayings of the Muhadditheen, the Jurists have declared the reading of Janaazah Salaah inside the Masjid without an extremely good excuse as 'Makrooh'.

However, despite all of these Ahaadeeth, statements of the Sahaabah τ, according to the Ghair Muqallideen, not only is the reading of Janaazah Salaah inside the Masjid permissible, **rather it is Sunnat.** And whoever denies this has gone contrary to the Sunnat. Therefore the Mufti of the Jamaat of the Gurabaa Ahle Hadith Mufti Abdus Sataar writes: -

"In accordance to the (Hadith) Sunnat and Kitaab, to read Janaazah Salaah in the Masjid is permissible and correct, rather it is Sunnat. (Fataawa e Sataariyya Vol.2 pg 25)

The author of "Zafrul Mubeen" Muhyudeen Lahori write:-
"Then it is known that to read Janaazah Salaah in the Masjid is Sunnat and to deny this is contrary to the sunnat." (Balaagul Mubeen pg 553 بحواله فتاوی ستاریّة Vol.2 pg 31)

Remember this is an agreed upon 'mas`ala' of the Ghair Muqallideen. In approximately all the Fataawa to perform Janaazah Salaah in the Masjid has been declared permissible.

Conclusion:

It is established from the Ahaadeeth that in Madinah Tayyibah there was a specific place stipulated for the performing of Janaazah Salaah which was outside of the Masjid that was called Mawdi e Janaaiz and Musallaah e Janaaiz. The Mubaarak practice of Nabi ρ was to perform Janaazah Salaah in this place. In this place Nabi ρ had performed the Janaazah Salaah of Najaashi, in this same place he ρ performed the Janaazah Salaah of his son Ibraahim τ. According to Hadhrat Ibn Shihaab Zuhri (A.R.) in his time it was the custom to read Salaah in this place also. Nabi ρ did not regard the performing of Janaazah Salaah in the Masjid as good. Perhaps it is because of this that Nabi ρ said that whever reads Janaazah Salaah in the Masjid, he will not get any reward for it. This is the very reason that the Sahaabah e Kiraam use to return from the Janaazah. Because there was no place left in the Mawdi e Janaaiz. They did not read Janaazah Salaah.

Sayyidinah Ayesha τ said that they should bring the Janaazah inside the Masjid. They all objected to it saying that they never used to bring the Janaazah inside the Masjid. Hadhrat Katheer ibn Abbas τ said that he knew in the time of Nabi ρ no one performed Janaazah Salaah in Masjid un Nabawi ρ. The Janaazah Salaah of Hadhrat Umme Salamah τ and Hadhrat Ayesha τ was read outside the Masjid. In the era of Sahaabah τ, Hadhrat Umar ibn Abdul Aziz τ and Hadhrat Marwaan ibn Hakam τ stipulated guards so that they would prevent the people from reading Janaazah Salaah in the Masjid. It is clear from all these citations that in the Masjid to perform Janaazah Salaah is not correct instead it is 'Makrooh', but the Ghair Muqallideen who claim to be practising on the Hadith, according to them to read Janaazah Salaah in the Masjid is not only permissible but rather Sunnat.

Ponder, if in the Masjid to read Janaazah Salaah was Sunnat then:

1. Why was there a place built in Madinah Tayyibah to perform Janaazah Salaah?

2. Besides one occasion narrated by Hadhrat Ayesha τ why is it not narrated from Nabi ρ that he read Janaazah Salaah in Masjidun Nabawi ρ all though in His life ?

3. Why did Nabi ρ perform the Janaazah Salaah of Najaashi as well that of his son Ibraahim τ outside the Masjid?

4. When in Mawdi e Janaaiz there was little or no place, why did they return without reading Janaaza Salaah, the Masjid of Nabi ρ was joined to this, why did they not read in it?

5. With the saying of the pure wives of Nabi ρ, when the Janaazah was brought into the Masjid why did the Sahaabah e Kiraam object to it?

6. Why was this said that the Janaazah was not brought in the Masjid before?

7. Why was the Janaazah of Hadhrat Ayesha and Ummah Salamah τ not performed in the Masjid?

8. In the era of the Sahaabah τ why were there guards stipulated to prevent the people from performing Janaazah Salaah in the Masjid? Was Hadhrat Umar ibn Abdul Aziz τ who was called Umar the second not aware that to read Janaazah Salaah in the Masjid was Sunnat?

9. If in the Masjid to read Janaazah Salaah was Sunnat, then how did Hadhrat Katheer ibn Abbas τ say this that I know that in the era of Nabuwaat no one read Janaazah Salaah in the Masjid of Nabi ρ?

10. In the entire era of the Khairul Quroon (besides the Janaazah of Hadhrat Umar τ which was read in the Masjid of Nabi ρ because of unavoidable circumstances) why is there no authentic narrations of Janaazah Salaah being read in Masjidun Nabawi ρ?

11. If to read Janaazah Salaah in the Masjid was Sunnat, then why did the Imam Daarul Hijrat Imam Maalik (A.R.) declare the reading of Janaazah Salaah in the Masjid as Makrooh?

12. Why did Allaamah Ibn Qayyim (A.R.) write the Sunnat of Nabi ρ was to perform Janaazah Salaah outside the Masjid, because of this it is more virtuous that the Janaazah Salaah be performed outside the Masjid?

Respected reader, just after looking at all of this, to specify the reading Janaazah Salaah in the Masjid as Sunnat, is this conforming or contrary the Ahaadeeth?

Translation Edited in Masjid un Nabi ρ Madinah Munawarrah
4 / 5/ 2008

FOLLOWING THE IMAAMS, THE IMPORTANCE OF TAQLEED AND THE CONSENSUS OF THE UMMAH UPON THE COMPULSION OF FOLLOWING THE FOUR IMAAMS

Question:

1. What do the Ulema of Deen and the Muftis about a man in our city of Baruch who has adopted the ways of the Ahle Hadith. He raises his hands during every Rakaah of salaah and says *Aameen* loudly. Our Hanafi brothers say that these are acts of Bid'ah. Is raising the hands and saying Aameen loudly acts of the Sunnah or acts of Bid'ah? Please explain with references.
2. This brother says that raising the hands is a Sunnah of Rasulullaah ρ and the Khulafaa Raashideen and that the Hanafi book *Hidaaya* (Vol.1 Pg.379) proves that Rasulullaah ρ did it until the end of his life. He also says that saying Aameen loudly is also proven in *Hidaaya* (Vol.1 Pg.362) and that both raising the hands and saying Aameen loudly are acts of the Sunnah. Is raising the hands and saying Aameen loudly acts of the Sunnah or acts of Bid'ah? Please explain with references.

NOTE: It was discovered that the questioner himself became a *Ghayr Muqallid* and it is for this reason that the reply addresses him.

Answer: The question has been quoted (in the Urdu edition) just as the questioner had written it (in Urdu). He has forsaken the Hanafi Madh'hab and become a *Ghayr Muqallid* (one who does not follow any Madh'hab). The status of his education is evident from the fact that in a question of only twelve to thirteen lines, he has made twenty to twenty-five spelling errors. If he is this incompetent in the

Urdu language that he cannot even write it properly, how will he ever be able to read and understand Arabic texts?

Hadhrat Imaam Ghazaali رحمه الله said, "After accepting Islaam and Imaan, it is compulsory for the general public to only to engage in their Ibaadah and day-to-day-activities. They should never delve into academic matters because this has to be handed over to the Ulema. For a member of the general public to argue in an academic discussion is more detrimental to him than fornication and theft. This is because when a person without deep knowledge of the Deen enters into discussions concerning Allaah and the various aspects of Deen, the chances are great that he may present an opinion that is akin to kufr without him even realising it. His example is like that of a person who dives into the ocean without knowing how to swim."[1]

It is necessary for the general public have knowledge of the commands of the Shari'ah and to carry them out without delving into the intricacies of it. A man once came to Rasulullaah ρ and asked to be informed of the intricacies of knowledge. Rasulullaah ρ posed the following questions to him: (1) Have you recognised Allaah? (2) How many of Allaah's rights have you fulfilled? (3) Are you aware of death? (4) Have you prepared for death. Thereafter, Rasulullaah ρ told the man to leave, to first strengthen his foundations and then to come to be informed of the intricacies.[2]

Rasulullaah ρ also said, "A time will come when people will take ignorant people as their leaders and ask them (Deeni) questions. These people will then issue *Fataawaa* (rulings) without having the relevant knowledge. They will themselves be deviated and will mislead others as well."[3]

In these circumstances it is Haraam and a cause of deviation to forsake the four true *Madhaahib* (the Hanafi, Shaafi'ee, Maaliki and Hanbali schools of jurisprudence) and to become a *Ghayr Muqallid*

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[1] *Ihyaa* (Vol.3 Pg.35).
[2] *Jaami Bayaanil Ilm* (Pg.133).
[3] *Mishkaatul Masaabeeh* (Pg.33).

(one who does not follow any *Madh'hab*). Such people commit and act of Haraam because they now follow their whims, declare the *Madhaahib* to be false and claim that following them entails shirk. They then further accuse these great Imaams of giving preference to their whims over the Qur'aan and the Ahadeeth. It is in fact inappropriate to even refer to such people as the *Ahle Hadith*, just as it is not permissible to refer to those who reject the Ahadeeth as the *Ahle Qur'aan*. They use these titles merely to beguile and mislead people.

Moulana Muhammad Husayn Batalwi whom the *Ghayr Muqallideen* look up to wrote in his book *Ishaa'atus Sunnah* (Vol.1 Pg.211), "There is no way that a person not following a *Madh'hab* can ever run away from the *Mujtahideen* (jurists)." In the same book, he writes: "Twenty five years of experience has proven to me that those who forsake following the *Mujtahideen* and a *Madh'hab* eventually end up bidding farewell to Islaam. Many of the become Christians and other become people who follow no religion at all. The least that happens is that they no longer follow the Shari'ah and fall into sin. Some of them openly discard the Jumu'ah salaah, salaah in congregation and fasting. They also do to abstain from liquor and interest and those who do not indulge in these open sins, do so for ulterior motives, but then indulge in secret sins. They are often also involved in illicit affairs with women. Although there are many reasons for a person in Deen to become irreligious and to leave the Deen, one of the main reasons is also when people with no knowledge forsake *Taqleed* (following a *Madh'hab*)."[1]

The reviver of the Ahle Hadith group Janaab Nawaab Siddique Hasan Khan of Bopal writes the following about his group, "There has now surfaced a boastful group who (despite being far from it) claim that they have the knowledge of the Hadith and the Qur'aan and also claim that they practise it and have recognition of Allaah."[2]

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[1] *Sabeelur Rashaad* pg.10, *Kalimatul Fasl* pg.10 and *Taqleede A'immah* pgs.16-17.

[2] *Al Hitta fi Dhikri Sihaahis Sitta* Pg.27-28.

He writes further, "How strange! How can they (these *Ghayr Muqallideen*) call themselves sincere believers in Towheed while alleging that others (because of their *Taqleed*) are Mushrikeen, whereas they (the *Ghayr Muqallideen*) are most obstinate and mulish in their ways?" He later concludes the discussion by saying, "This way (of the *Ghayr Muqallideen*) is nothing but a great tribulation and means of deviation."[1]

Shah Wali'ullaah Muhaddith Dehlawi رحمه الله writes: "CHAPTER ON THE IMPORTANCE OF FOLLOWING THE FOUR *MADHAAHIB* AND THE SEVERITY OF GIVING THIS UP. One ought to know that there is immense benefit in following the four *Madhaahib* and tremendous harm in turning away from them."[2] In the same book, he writes further, "The second reason for following a *Madh'hab* is that Rasulullaah ρ said, 'Follow the broader consensus of people'. Since there are no *Madhaahib* on the truth besides the four *Madhaahib*, following them will be following the broader consensus of people and failing to follow them will be to leave the broader consensus of people, which will be against the instruction of Rasulullaah ρ."[3]

Shah Wali'ullaah Muhaddith Dehlawi رحمه الله described the followers of the four *Madhaahib* as the broader consensus of people and the one failing to follow any perform them as a lost camel who really follows the dictates of his Nafs. (Hereunder follows several Ahadeeth on the subject) Rasulullaah ρ said:

1. "Follow the broader consensus of people"[4]
2. "Stick with the congregation."[5]
3. "Verily Allaah will never allow my Ummah to be unanimous on deviation"[1]

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[1] *Taqleede A'immah* pgs.17-18
[2] *Uqdul Jayyid* pg.31.
[3] *Uqdul Jayyid* pg.33.
[4] *Mishkaatul Masaabeeh* (Pg.30).
[5] *Mishkaatul Masaabeeh* (Pg.33).

4. “My Ummah shall never be unanimous on deviation.”
5. “Allaah’s hand is upon the Jamaa’ah (united group) and the one who separates from them shall be cast alone in Jahannam.”[2]
6. “Shaytaan is like a wolf to people just as there is a wolf for sheep, who grabs hold of the lone sheep wandering apart from the flock. You people must therefore beware of conflict and remain attached to the Jamaa’ah and the broader consensus of people.”[3]
7. “The one who separated even a hand’s span from the Jamaa’ah, he has removed the collar of Islaam from his neck.”[4]
8. “Two people are better than one, three better than two and four better than three, so ensure that you attach yourself to the Jamaa’ah.”[5]
9. “The one who forsakes obedience and separates from the Jamaa’ah shall die a death of the people of the Period of Ignorance.”[6]
10. “Whatever the Muslims regard to be something good is really so in the eyes of Allaah as well.”[7]

Shah Wali’ullaah Muhaddith Dehlawi رحمه الله was a great scholar and, Muhaddith and jurist of his time. Even the leader of the Ghayr Muqallideen group Janaab Nawaab Siddique Hasan Khan of Bopal regards Shah Wali’ullaah Muhaddith Dehlawi رحمه الله as the leader of all the Mujtahiddeen. He writes, “Had he been living in the first century of Islaam, he would have been the Imaam of the Imaams and leader of the Mujtahiddeen.”

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[1] *Mishkaatul Masaabeeh* (Pg.30). See also *Maqaasidul Hasanah* pg.460.
[2] *Mishkaatul Masaabeeh* (Pg.30).
[3] *Mishkaatul Masaabeeh* (Pg.31).
[4] *Mishkaatul Masaabeeh* (Pg.31).
[5] *Mawaa’idul Awwa’id* pg.122.
[6] Nasa’ee.
[7] Ahmad, as quoted in *Maqaasidul Hasanah* pg.368.

Even though he was a jurist of this calibre, Shah Wali'ullaah Muhaddith Dehlawi رحمه الله had the following to say about Taqleed: "None rejected the concept of Taqleed because since the time of the Sahabah ψ until the emergence of the four *Madhaahib*, people had always been following those Ulema whom they relied on. Had the following of the *Madhaahib* been wrong, they (the Sahabah ψ and *Taabi'een*) would certainly have rejected it."[1] He further quotes Imaam Baghawi رحمه الله, who said, "It is therefore compulsory for the person who does not have all these qualifications (of being a *Mujtahid*) to follow someone in all affairs that pertain to him."[2]

Hadhrat Shah Wali'ullaah رحمه الله also says, "There are numerous benefits in it (in following one of the four *Madhaahib*) that are no secret to anyone. These are especially required in these days when people lack courage, when carnal passions have taken deep root in people's souls and when ever person is obsessed only with his opinion."[3]

In another of his works, Hadhrat Shah Wali'ullaah رحمه الله says, "It was during the second century of Islaam that following a particular *Mujtahid* became common and there was scarcely anyone who did not do so. This was compulsory."[4]

He also said, "The entire Ummah, or rather those of them who are dependable, are unanimous about the fact that it is permissible to follow one of these four *Madhaahib* that have been methodically systemised and recorded. This unanimity remains to this day (and opposing it is a means of deviation)."[5]

Hadhrat Shah رحمه الله also says, "The gist of it all is that following these four *Madhaahib* is something extremely subtle that Allaah has inspired in the hearts of the Ulema and upon which they have

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[1] *Uqdul Jayyid* pg.29.
[2] *Uqdul Jayyid* pg.9.
[3] *Hujjatullaahil Baaligha* (Vol.1 Pg.361).
[4] *Insaaf* pg.59.
[5] *Hujjatullaahil Baaligha* (Vol.1 Pg.361).

declared unanimity, regardless of whether they understand it or not."[1]

He also says, "If there is a common man in India or in the territories of *Maa Waraa'un Nahr* (places where there are predominantly Hanafis) and there are no Ulema belonging to the Shaafi'ee, Maaliki or Hanbali schools of jurisprudence, as well as no books of these *Madhaahib*, it will be Waajib (compulsory) for him to follow the *Madh'hab* of Imaam Abu Haneefah رحمه الله. It will be Haraam for him to leave this *Madh'hab* because if he does this, he will be removing the collar of the Shari'ah from his neck and will be left a useless and wasted soul."[2]

Despite being a *Mujtahid* in his own right, Shah Wali'ullaah Muhaddith Dehlawi رحمه الله was commanded by Rasulullaah ρ to follow a *Madh'hab* and never to leave one. He writes in his *Fuyoodhul Haramain*[3] that he was commanded by Rasulullaah ρ to do three things that he was not in favour of. In fact, he states, he was so staunchly disinclined towards these three things that the fact that he turned to them is in fact a sign of their truth. The second of these that he mentions is to follow one of the four *Madhaahib* without leaving it. He states further that Rasulullaah ρ also informed him that the Hanafi *Madh'hab* has a most excellent methodology that is closer to the Sunnah as it was documented during the period of Imaam Bukhaari رحمه الله and his contemporaries."[4]

The summary of Shah Wali'ullaah Muhaddith Dehlawi رحمه الله comments are:

1. The practice of following a particular person was common during the times of the Sahabah ψ and the Taabi'een

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[1] *Insaaf* pg.47.
[2] *Insaaf* pg. 70-71.
[3] Pgs. 64-65.
[4] *Fuyoodhul Haramain* pg.48.

2. Following one of the four *Madhaahib* entails following the broader consensus of people (which is compulsory in the words of the Ahadeeth) and failing to follow it will lead to deviation
3. The practice of following one of the four *Madhaahib* became common after the second century of Islaam
4. Following one of the four *Madhaahib* is something extremely subtle that Allaah has inspired in the hearts of people
5. The Ummah is unanimous about following the four Imaams
6. Taqleed is Waajib (compulsory) for anyone who is not a *Mujtahid*
7. There are numerous Deeni benefits to following a specific Imaam
8. Rasulullaah ρ instructed Hadhrat Shah Wali'ullaah رحمه الله to follow an Imaam
9. Rasulullaah ρ told him that the Hanafi *Madh'hab* is closest to the Sunnah
10. It is Haraam for a common man to forsake Taqleed. In fact, this actually leads him to leaving Islaam (this has even been admitted by one of their leaders Moulana Muhammad Husayn Batalwi, as quoted above)

The Ghayr Muqallideen fool people into believing that the *Muhadditheen* never followed any of the Imaams of jurisprudence. This is wrong because all the *Muhadditheen* apart from very few did adopt Taqleed.

Imaam Bukhaari رحمه الله who was himself a *Mujtahid* opted to follow the *Madh'hab* of Imaam Shaafi'ee رحمه الله. The leader of the Ghayr Muqallideen group Janaab Nawaab Siddique Hasan Khan of Bopal states in his book *Al Hitta fi Dhikri Sihaahis Sitta* that Imaam Abu Aasim has recorded the name of Imaam Bukhaari رحمه الله in the list of those following the Shaafi'ee Madh'hab. Further in the same book, he says the following about Imaam Nasa'ee رحمه الله, "He was one of the landmarks of the Deen and one of the pillars of the science of Hadith. He led the scholars and *Muhadditheen* of his time and his

critical assessment of narrators was highly rated amongst the Ulema. He followed the Shaafi'ee Madh'hab."[1]

About Imaam Abu Dawood رحمه الله, he says: "He was a Haafidh of Ahadeeth and all the remarks and comments made about them. He was also of the highest calibre in as far as Taqwa, piety, abstinence, knowledge and understanding of Deen are concerned. The only difference of opinion exits about whether which *Madh'hab* he followed. While some are of the opinion that he was a *Hanbali*, others opine that he was a *Shaafi'ee*."[2]

Apart from then *Muhadditheen* mentioned above, the most authentic reports verify that Imaam Muslim رحمه الله, Imaam Tirmidhi رحمه الله, Imaam Bayhaqi رحمه الله, Imaam Daar Qutni رحمه الله and Imaam Ibn Maajah رحمه الله all followed the Shaafi'ee school of jurisprudence. The Muhaddith Imaam Yahya bin Ma'een رحمه الله, the Muhaddith Imaam Yahya bin Sa'eed Qataan رحمه الله, the Muhaddith Imaam Yahya bin Abi Zaa'idah رحمه الله, Imaam Tahaawi رحمه الله and Imaam Zayla'ee رحمه الله also all followed a Madha'hab and all happened to be Hanafi. Allaama Dhahabi رحمه الله, Ibn Taymiyyah رحمه الله, Ibn Qayyim bin Jowzi رحمه الله and Hadhrat Abdul Qaadir Jaylaani رحمه الله were all Hanbali.

Did these eminent scholars not realise that Taqleed is Shirk, Haraam and a Bid'ah as the Ghayr Muqallideen claim? Were there only a few who realised this, such as Dawood Zaahiri رحمه الله and Ibn Hazam رحمه الله? Muhadditheen, Ulema and Mashaa'ikh throughout the ages adopted Taqleed. If one looks at the Ulema and Awliyaa of the Indian subcontinent, one will notice that they were all particular about Taqleed and were almost all followers of Imaam Abu Haneefah رحمه الله. Some of the senior Muhadditheen were:

1. Sheikh Ali Muttaqi رحمه الله, author of *Kanzul Ummaal* (passed away 975 A.H.)

[1] Pg.127.
[2] *Al Hitta fi Dhikri Sihaahis Sitta* Pg. 135.

2. Sheikh Abdul Wahhaab Buhaanpuri رحمه الله (passed away 1001 A.H.)

3. Sheikh Muhammad Taahir Patni Gujarati رحمه الله , author of *Majma'ul Bihaar* (passed away 987 A.H.)

4. Muhaddith Mulla Jeewan Siddeeqi رحمه الله (passed away 1130 A.H.)

5. Sheikh Abdul Haqq Muhaddith Dehlawi رحمه الله author of *Ashi'attul Lam'aat* (passed away 1152 A.H.) and his son Muhaddith Nurul Haqq رحمه الله author of *Tayseerul Qaari*, commentary of Bukhaari (passed away 1073 A.H.)

6. Muhaddith Sheikh Fakhrud Deen رحمه الله commentator of Bukhaari and *Hisnul Haseen*

7. Muhaddith Sheikh Salaamullaah رحمه الله, commentator of *Mu'atta* (passed away 1229 A.H.)

8. Shah Abdur Raheem Muhaddith Dehlawi رحمه الله

9. Shah Wali'ullaah Muhaddith Dehlawi رحمه الله (passed away 1176 A.H.)

10. Shah Abdul Azeez Muhaddith Dehlawi رحمه الله (passed away 1239 A.H.)

11. Shah Abdul Qaadir Muhaddith and Mufassir Dehlawi رحمه الله (passed away 1232 A.H.)

12. Shah Abdul Ghani Muhaddith Dehlawi رحمه الله (passed away 1296A.H.)

13. Shah Is'haaq Muhaddith Dehlawi رحمه الله (passed away 1262 A.H.)

14. Shah Ismaa'eel Shaheed رحمه الله (passed away 1246 A.H.)

15. Shah Qutbud Deen رحمه الله author of Mazaahire Haqq (passed away 1289 A.H.)

16. Shah Rafee'ud Deen Muhaddith Dehlawi رحمه الله (passed away 1233 A.H.

17. Shah Muhammad Ya'qoob Muhaddith Dehlawi رحمه الله (passed away 1282 A.H.)

18. Qaadhi Muhibbud Deen Bihari رحمه الله (passed away 1119 A.H.), who wrote the famous book of principles of Fiqh *Musallamuth Thuboot* in the year 1109 A.H.

19. Muhaddith Kabeer Qaadhi Thanaa'ullaah Paanipati رحمه الله (passed away 1225 A.H.)

20. Sheikhul Islaam Allaama Nurud Deen Ahmadabaadi Gujarati رحمه الله author of *Nurul Qaari*, commentary of Bukhaari (passed away 1155 A.H.)

21. Sheikh Wajeehud Deen Alawi Gujarati رحمه الله (passed away 998 A.H.)

22. Mufti Muhaddith Abdul Kareem Nahrwaani رحمه الله author of *Nahrul Jaari*, commentary of Bukhaari (passed away 1141 A.H.)

23. Allaama Muhiyyud Deen Ahmadabaadi Gujarati رحمه الله (passed away 1038 A.H.)

24. Sheikh Muhaddith Khayrud Deen bin Muhammad Zaahid Surti (passed away 1206 A.H.)

25. Bahrul Uloom Sheikh Abdul Ali Lakhnawi رحمه الله commentator of *Musallamuth Thuboot* and others (passed away 1225 A.H.)

26. Abul Hasanaat Allaama Abdul Hayy Lakhnawi رحمه الله author of numerous works (passed away 1304 A.H.)

27. Muhaddith Moulana Ahmad Ali Sahaaranpuri رحمه الله author of marginal notes on Bukhaari (passed away 1297 A.H.)

28. Mutakallimul Islaam Moulana Qaasim Nanotwi رحمه الله founder of Daarul Uloom Deoband (passed away 1298 A.H.)

29. Muhaddith Kabeer Moulana Rasheed Ahmad Gangohi رحمه الله (passed away 1323 A.H.)

30. Moulana Muhammad Ya'qoob Nanotwi Mujaddidi (passed away 1302 A.H.)

31. Muhaddith Moulana Fakhrul Hasan Gangohi (passed away 1317 A.H.)

32. sheikhul Hind Hadhrat Moulana Mahmoodul Hasan Deobandi (passed away 1399 A.H.)
33. Muhaddith Kabeer Allaama Anwar Shah Kashmeeri رحمه الله (passed away 1352 A.H.)
34. Muhaddith Moulana Khaleel Ahmad Ambetwi رحمه الله author of *Badhlul Majhood*, commentary of Abu Dawood (passed away 1346 A.H.)
35. Moulana Shabbier Ahmad Uthmaani رحمه الله author of *Fat'hul Mulhim*, commentary of Saheeh Muslim (passed away 1369 A.H.).

Some of the prominent Ulema of Sindh include:

1. Sheikh Abul Hasan Sindhi (passed away 1187 A.H.)
2. Sheikh Haashim Sindhi
3. Sheikh Abu Tayyib Sindhi (passed away 1140 A.H.)
4. Sheikh Muhammad Mu'een Sindhi (passed away 1180 A.H.)
5. Sheikh Muhammad Aabid Sindhi (passed away 1257 A.H.)
6. Sheikh Hayaat Sindhi (passed away 1163 A.H.)

These Ulema wrote commentaries and marginal notes on the *Sihaah Sitta* and also lectured Hadeeth in Madinah Munawwarah.

Some of the eminent *Awliyaa* of the Indian subcontinent were:

1. Imaam Rabbaani Hadhrat Mujaddid Alf Thaani رحمه الله (passed away 971 A.H.)
2. Aarif Billaah Muhaddith Mirza Mazhar Jaanjaana رحمه الله (passed away 1195 A.H.)

3. The crown of the Awliyaa of Hind Khwaja Mu'eenud Deen Chishti رحمه الله (passed away 632, 633, 636 or 637 A.H.)
4. Khwaja Qutbud Deen Bakhtiyaar Kaaki رحمه الله (passed away 633/634 A.H.)
5. Khwaja Fareedud Deen Ganj Shakar رحمه الله (passed away 664/668 A.H.)
6. Khwaja Nizaamud Deen Awliyaa رحمه الله (passed away 735 A.H.)
7. Khwaja Alaa'ud Deen Saabir Kaleri رحمه الله (passed away 690 A.H.)

Other than the above, there were thousands of other Muhadditheen, Ulema, Mufassireen, Fuqahaa and Mashaa'ikh who were all followers of a Madh'hab.

It is a great favour of Allaah that we have the four Imaams to follow and that the Ahlus Sunnah wal Jamaa'ah has accepted the four. The Ulema of every era have emphasised that the person who rejects Taqleed will lead his life aimlessly and, following only is whims, will become a perpetrator of Bid'ah. He will not be from the Ahlus Sunnah wal Jamaa'ah and will be just like the Shias who reject following the four Imaams, labelling this as an act of Bid'ah. In fact, the Ghayr Muqallideen emulate the Shias in several other matters. For example:

1. Just like the Rawaafidh (a group of the Shias), the Ghayr Muqallideen also do not regard the Sahabah ψ to be criteria for right and wrong
2. Just like the Rawaafidh, the Ghayr Muqallideen also regard three divorces given in a single sitting as one divorce
3. Just like the Rawaafidh, the Ghayr Muqallideen also regard the twenty Rakaahs of Taraaweeh to be a Bid'ah
4. Just like the Rawaafidh, the Ghayr Muqallideen also regard the Adhaan given in front of the pulpit on the day of Jumu'ah to be a Bid'ah

5. Just like the Rawaafidh and Shia, the Ghayr Muqallideen also do not accept the decision of Hadhrat Umar τ to ban women from the Masaajid. This despite the fact that Hadhrat Aa'isha رضي الله عنها said that had Rasulullaah ρ seen the condition of the women after his time, he would certainly have banned them himself.

Apart from the Shias and the Ghayr Muqallideen, the Ulema of the entire Ummah are unanimous about the fact that Taqleed is necessary. This they have clearly stated in their works. The following appears in the commentary of *Musallamuth Thuboot*: "It is therefore compulsory for people to follow those who had looked deeply into matters (of Deen) and had categorised everything in specific chapters. They had sifted every question, differentiated between them, explained the reasons for each of them and provided tremendous detail (such detail is not found in the statements of the Sahabah ψ, making it difficult for many to derive solutions directly from them). It is because this is not to be found in the Madh'hab of anyone else that Allaama Ibn Salaah رحمه الله has prohibited people from following anyone other than the four Imaams, who are the Imaam of the Imaams and our Imaam from Kufa (Imaam Abu Haneefah رحمه الله), Imaam Maalik رحمه الله, Imaam Shaafi'ee رحمه الله and Imaam Ahmad رحمه الله. May Allaah reward them with the best of rewards on our behalf."[1]

Allaam Ibn Nujaym رحمه الله of Egypt (passed away in 970 A.H.) states, "Whatever ruling opposes those of the four Imaams, actually opposes consensus (which is unacceptable)."[2]

Allaama Ibn Humaam رحمه الله (passed away in 861 A.H.) says, "Many latter day scholars have mentioned that only the four Imaams should be followed because their Madhaahib are well documented, which is not the case with the Madhaahib of others … it is therefore correct to restrict Taqleed to only to these four Madhaahib."[3]

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[1] *Fawaatihur Rahmah* pg. 629.
[2] *Ashbaah wan Nadhaa'ir* pg.131.
[3] *Tahreer fi Usoolil Fiqh* pg.552.

The eminent Sheikh Ahmad رحمه الله, better known as Allaama Mulla Jeewan رحمه الله (passed away in 1130 A.H.) was the teacher of Aurangzeb Aalamgeer رحمه الله. In his *Tafseeraat Ahmadi*[1], he states, "Consensus has been reached about the fact that it is permissible to follow only the four Imaams. It is because of this that if the opinion any new Mujtahid conflicts with those of the four, it will not be permissible to act on his opinion."

He then writes further[2], "In all fairness, the confinement of the Madhaahib to the four and following only them is from the grace of Allaah and denotes His acceptance of them. There is no need for an explanation."

The famous Muhaddith and Mufassir Qaadhi Thanaa'ullaah Panipati رحمه الله (passed away 1225 A.H.) writes in his *Tafseer Mazhari*[3], "The Ahlus Sunnah wal Jamaa'ah settled with the four Madhaahib after the third or fourth century and there remained no other Madh'hab to follow in as far as the derivatives of the Deen are concerned. Consensus has therefore been reached on the fact that any opinion that conflicts with all of the four will be rejected. Allaah declares in the Qur'aan: ***"(Whoever) follows a path other than that of the Mu'mineen, We shall allow him to do that which he is doing and then enter him into Jahannam. It is the worst of abodes."***[4]

Imaam Ibraheem Sarakhsi رحمه الله says, "After that period (of the Sahabah ψ), it became impermissible to follow any *Madh'hab* other than the four, namely those of Imaam Abu Haneefah رحمه الله, Imaam Maalik رحمه الله, Imaam Shaafi'ee رحمه الله and Imaam Ahmad رحمه الله. This is just as Allaama Ibn Salaah رحمه الله has stated. This is because the principles of these Madhaahibs are well known and their laws have been well established. Those who served these four Madhaahib have recorded every facet of their laws in great detail."[5]

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[1] Pg.346.
[2] Pg.346.
[3] Vol.2 Pg.64.
[4] Surah Nisaa, verse 115.
[5] *Futuhaat Wahabiyyah* pg.199

The Muhaddith Ibn Hajar Makki τ (passed away 852 A.H.) also writes that in his times it is not permissible to follow any *Madh'hab* other than the four, namely those of Imaam Abu Haneefah رحمه الله, Imaam Maalik رحمه الله, Imaam Shaafi'ee رحمه الله and Imaam Ahmad رحمه الله.[1]

In his book *Raahatul Quloob*, Khwaja Nizaamud Deen Awliyaa رحمه الله writes, "Khwaja Sayyidul Aabideen Fareedul Haqq Shakr Ganj رحمه الله said on the 11th of Dhul Hijjah 655 A.H. that although all the four Madhaahib are true, it may be noted with certainty that the Madh'hab of Imaam Abu Haneefah رحمه الله is the best and he is also the best of the *Mutaqqaddimeen* (early-day scholars). We thank Allaah that He has made us followers of his *Madh'hab*."[2]

Allaama Jalaaluddeen Mahalli رحمه الله says, "It is Waajib (compulsory) for a common man and others who have not reached the rank of a Mujtahid to adhere to one of the specific Madhaahib."[3]

Sheikh Muhiyyud Deen Nawawi رحمه الله the commentator of Muslim writes, "Ulema believe that *Ijtihaad* (being a *Mujtahid*) in the broad sense has ended with the four Imaams. It is therefore Waajib (compulsory) for the Ummah to follow one of them. In fact, the Imaam of the Haramain has reported that the Ummah are unanimous about this."[4] It states further in the same reference, "Taqleed in our times is correct only if one of the four Madhaahib are followed ... it is not permissible to follow anyone other than the four Imaams both when passing verdict (in court) and when issuing a Fatwa."[5]

Imaam Abdul Wahhaab Sha'raani رحمه الله writes, "Whenever anyone asked my mentor Ali Khawaas about whether it is compulsory to adopt Taqleed, he would tell the person, 'It is Waajib (compulsory)

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[1] *Fat'hul Mubeen pg.196.*
[2] *Hadaa'iq Hanafiyyah* pg.104.
[3] *Nurul Hidaayah*, translation of *Sharhul Wiqaaya* Pg.10.
[4] *Rowdhatut Taalibeen*, as quoted in *Nurul Hidaayah* pg.10.
[5] *Nurul Hidaayah* pg.15.

for you to follow a specific Imaam and not to tread away from his Madh'hab until you attain the status of a Mujtahid through perfect piety and divine inspiration.'"[1]

The famous scholar of Qur'aan and Hadith Sayyid Ahmad Tahtaawi رحمه الله (passed away 1233 A.H.) says, "O people! You must follow the one group that will be saved from Jahannam and that is the Ahlus Sunnah wal Jamaa'ah because the help of Allaah is attained by being with them and opposing them will cause one to lose Allaah's help and attain only His wrath and displeasure. This successful group has now agreed to follow the four Madhaahib, which are the Hanafi, Maaliki, Shaafi'ee and Hanbali schools. Whoever chooses to be outside the circles of these four Madhaahib is from amongst the people of Bid'ah and those destined for Jahannam."[2]

The following is an extract from the book of Hadhrat Shah Is'haaq Muhaddith Dehlawi رحمه الله:

"Question 61: Is following the four Madhaahib a good Bid'ah or a bad one? If it is a bad Bidah, then of what category is it?"
Answer: Following the four Madhaahib is neither a good nor a bad Bid'ah, but is in fact a Sunnah because, in the first instance, their differences were such as had existed amongst the Sahabah ψ as well. Despite this, Rasulullaah ρ said, 'My Sahabah ψ are like guiding stars and whoever of them you follow, you will be rightly guided.' In the second instance, their differences could be because of a difference in their reasoning, which is in fact in compliance with *Nass* (the clear verses of the Qur'aan and the most authentic of Ahadeeth) because reasoning is proven by *Nass*. In yet another instance, the differences between them is due to the direct meanings of the Ahadeeth that some feel the need to practise upon, while others feel the need to practise on the implied meanings of the same Ahadeeth. A Hadith appears in Bukhaari and Muslim stating that when Rasulullaah ρ gave the Sahabah ψ the command to march against the Banu Qurayzah tribe, he said that they should not perform their Asr

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[1] *Mizaanush Shari'atil Kubra.*
[2] *Tahtaawi Alaa Durril Mukhtaar* (Vol.4 Pg.153)

salaah anywhere but at the settlement of the Banu Qurayzah tribe. Now while some of the Sahabah ψ understood that Rasulullaah ρ's intention was to emphasise a speedy march, others took the direct meaning, meaning that they should not perform the Asr salaah on the road (even if the time was running out). However, since Rasulullaah ρ did not disapprove of this difference, it appears that both parties were right. Such are the differences between the four Madhaahib, so how can it be called a Bid'ah?"[1]

He replies to another question in the following way:

Question: Will the followers of a Madh'hab be labelled perpetrators of Bid'ah or not?

Answer: The followers of a Madh'hab will not be labelled perpetrators of Bid'ah because following the four Madhaahib is really following the inner and outer implications of the Ahadeeth. Labelling a follower of the Ahadeeth as a perpetrator of Bid'ah is an act of a deviate.[2]

Imaam Rabbaani Mujaddid Alf Thaani رحمه الله says, "It may be said without prejudice that the Madh'hab of Imaam Abu Haneefah رحمه الله appears to the mind of the inspired ones as a large ocean while the other Madhaahib appear like rivers and lakes. When looking at it in reality as well, one will notice that the majority of Muslims follow this Madh'hab, which, despite the large following, is unlike the other Madhaahib in its principles, derivatives and manner of extracting laws. It is most astonishing to note the degree to which Imaam Abu Haneefah رحمه الله follows the Sunnah because he gives as much importance to *Mursal* Ahadeeth as he does to *Musnad* Ahadeeth and gives these preference over his personal deductions. Because of their companionship with Rasulullaah ρ, Imaam Abu Haneefah رحمه الله gives preference to the opinions of the Sahabah ψ over his own, which the others do not do. Despite all of this, his adversaries still

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[1] *Imdaadul Masaa'il*, translation of *Mi'ah Masaa'il* pg.101-102.
[2] *Imdaadul Masaa'il*, translation of *Mi'ah Masaa'il* pg.102.

refer to him as a person who follows only his personal opinions. Apart from this, they also use other disrespectful terms for him even though all admit that he was exceptionally knowledgeable and extremely pious. May Allaah guide them to not reject this leader of Islaam and in this way to stop hurting the majority of Muslims.

Such people (*Ghayr Muqallideen*) wish to blow out the light of Allaah with their mouths by labelling these great men (Imaam Abu Haneefah رحمه الله, Imaam Maalik رحمه الله, Imaam Shaafi'ee رحمه الله and Imaam Ahmad رحمه الله) as men who followed the dictates of their personal opinions. By doing this, they are effectively saying that a large - in fact majority - of the Ummah are ignorant and are in fact also ignorant of their ignorance by following men who forsook the Qur'aan and the Sunnah to follow men who followed their opinions. These few incompetents have learnt a few Ahadeeth and think that all of the Shari'ah revolved upon their knowledge by refuting everything else about which they have no knowledge. They are like that little worm in a hole that sees its entire world in that little hole (thinking that the hole is the entire world). The worm has however yet to see the real world. Such people are only prejudiced and making futile attempts."[1]

Hadhrat Shah Muhammad Hidaayat Ali رحمه الله states: "It is not necessary for a person to follow the Imaam if he has perfect knowledge of Tafseer, Hadith and Fiqh and he is also capable of *Ijtihaad*, together with having knowledge of abrogated verses and Arabic terminologies. It is Waajib (compulsory) for anyone lacking in any of these fields to follow an Imaam. In fact, it is best even for the person proficient in these fields to follow an Imaam. It is strange to see that people who cannot even recite Arabic without the diacritical marks, let alone having any knowledge of Tafseer, Hadith and Fiqh choose not to follow the Imaams and regard following them to be Shirk. Such people do not have a clue about deriving laws from the Qur'aan and Ahadeeth and fail to realise that even people who were proficient in the fields of Tafseer, Hadith and Fiqh such as Shah Wali'ullaah Muhaddith Dehlawi رحمه الله and Shah Abdul Azeez

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[1] *Maktoobaat Imaam Rabbaani* (Vol.2 Pgs.178-179).

Muhaddith Dehlawi رحمه الله also chose to follow Imaam Abu Haneefah رحمه الله. Can the people of today be more knowledgeable or more pious than them? Such people choose to follow ignoramuses rather than the great men and even though they hardly understand Urdu (let alone Arabic), they claim that they are people of the Ahadeeth (*Ghayr Muqallideen*). If you ask them from where they learnt the laws they practise, was it from the Qur'aan and Ahadeeth or from someone else, they will tell you that they heard it from a particular person. If this is not Taqleed, then what is it?"[1]

He also writes, "It is Waajib (compulsory) to follow the Imaams of Ijtihaad because they possessed deep knowledge of Arabic, Tafseer, Hadith, Fiqh, principles of Fiqh, abrogated verses and Arabic terminologies. It is for this reason that Allaah issued the command, ***'Ask people of knowledge if you do not know.'*** It is Waajib (compulsory) for anyone lacking in any of these fields to follow an Imaam. In fact, it is best even for the person proficient in these fields to follow an Imaam. Even people who were proficient in these fields such as Shah Wali'ullaah Muhaddith Dehlawi رحمه الله and Shah Abdul Azeez Muhaddith Dehlawi رحمه الله , Imaam Rabbaani Mujaddid Alf Thaani رحمه الله , Mirza Mazhar Jaane Jaan رحمه الله, Hadhrat Qaadhi Thanaa'ullaah Panipati رحمه الله and many others also chose to follow Imaam Abu Haneefah رحمه الله. Which person today can claim to be equal to even a tenth of these men and has the nerve to say (like Iblees did) ***'I am better than he'***? It is a tragedy of our times that people whose total knowledge is not even where the knowledge of the Imaams started speak ill of following of the Imaams and make people follow their incomplete analogies and deductions."[2]

Hadhrat Allaama Abdul Haq Haqqaani رحمه الله writes, "If every person has to propose his opinion in such maters, there would be tremendous chaos. While the Sahabah ψ asked Rasulullaah ρ whatever they needed to know, when new situations arose after the third century of Islaam, the Imaams documented the finer details of

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[1] *Durre Lathaani* (Vol.2 Pg.61-62).
[2] *Ahsanut Taqweem* pgs. 137-138.

the Shari'ah as derived from the Qur'aan and the Ahadeeth. Therefore, the entire Ummah has been following these documented laws since then until today. Anyone proposing anything other than this will have forsaken the path of the unanimous majority. The evil has started nowadays of criticising the Mujtahideen, especially Imaam Abu Haneefah رحمه الله, saying that he opposes the Qur'aan and the Ahadeeth. This is grossly misleading because none of his statements oppose the Qur'aan or the Ahadeeth and those that these people regard as baseless are really not so because it is their fault for not being able to find the basis. Proof of his integrity is that Allaah had kept his Madh'hab alive for thousands of years and claiming that his Madh'hab is misleading is to claim that the Ummah had been misled for so long, which contradicts verses of the Qur'aan and Ahadeeth that laud the virtues of the Ummah."[1]

Shah Wali'ullaah Muhaddith Dehlawi رحمه الله writes, "Most of the people who claim to be people of the Ahadeeth concern themselves only with collecting chains of narrators and determining Ahadeeth which are *Ghareeb* or *Shaadh* from many that are either *Mowdoo* or *Maqloob*. They do not concern themselves with the words of the Hadith, do not understand the meanings of the Ahadeeth and cannot derive rulings from its depths. These people condemn the jurists and claim that they oppose the Qur'aan and the Ahadeeth without realising that they can never attain the knowledge that Allaah had granted to the jurists. They are really sinful for making such statements."[2]

Merely knowing ahadeeth from memory is not sufficient for understanding the laws of the shari'ah

Merely knowing Ahadeeth from memory and remaining fixed on the apparent meaning is not enough for understanding the rulings of the Shari'ah. It is of vital importance to understand Fiqh (jurisprudence), the principles of Fiqh and to have a deep understanding of Deen. Reaching the true reality of the rulings is impossible without all of

[1] *Aqaa'idul Islaam* pgs.112-113.
[2] *Insaaf* pg.53.

this. Those people who are mulish about the apparent meanings of the Ahadeeth are known to issue rulings that are unacceptable. Here follows a few examples:

1. The famous book of Ahadeeth Kanzul Ummaal contains the following narration: Hadhrat Mujaahid says, "Hadhrat Abdullaah bin Abbaas τ was once performing salaah while Ataa, Tawoos and Ikramah and I, all his students, were sitting together. A man arrived and asked, 'Is there a Mufti amongst you?' 'Ask your question,' I said. He said, 'Every time I urinate, a spurting liquid follows the urine out.' 'Is it the type of liquid from which a child is born?' we asked. When he replied in the affirmative, we ruled that he should take a bath (each time it happened). The man then turned away saying, 'Innaa Lillaahi wa Innaa Ilayhi Raaji'oon'. Hadhrat Abdullaah bin Abbaas τ hastened with his salaah and as soon as he made the Salaam, he said, 'Ikramah! Go bring that man back.' When Ikramah brought him back, Hadhrat Abdullaah bin Abbaas τ turned to us saying, 'Tell me whether the verdict you gave this man was sourced from the Book of Allaah?' 'No,' we admitted. 'Then was it sourced from the Sunnah of Rasulullaah ρ?' he asked further. When we again conceded that it was not, he asked, 'Then was it from the Sahabah ψ of Rasulullaah ρ?' Again we said no. 'Then from who did you learn it?' he asked. 'We derived it from our own judgement,' we replied. To this, he remarked, 'It is for this reason that Rasulullaah ρ said, 'A single jurist is more difficult for Shaytaan to contend with than a thousand worshippers.' He then turned to the man and asked, 'Tell me. Do you feel any lust in your heart when this happens to you?' 'No, I do not,' the man replied. Hadhrat Abdullaah bin Abbaas τ asked further, 'Then do you feel any weakness in your body (after it emerges)?' When the man again replied negatively, Hadhrat Abdullaah bin Abbaas τ said, 'This happens because of coldness (in the body), so wudhu would suffice for you (there is no need to bath).'"[1]

[1] Vol.5 Pg.118.

Research scholars have written that Hadhrat Abdullaah bin Abbaas τ realised that the students were fooled by the word ‘spurting liquid’, which refers to semen. They therefore ruled that a bath was necessary. Because they were not jurists, they failed to look at the reason that makes a bath necessary. Had they looked at the factors that make a bath necessary, they would have noticed that since none of the factors accompanying the discharge of semen were found, the discharge could not be semen and therefore, a bath would itself not be necessary. Now although Hadhrat Mujaahid رحمه الله Ataa رحمه الله , Tawoos رحمه الله and Ikramah رحمه الله were all Muhadditheen of the highest calibre (and the teachers of almost all the others), they were really not jurists because they failed to look for the inner reasons. Because true jurists are such a rarity, Rasulullaah ρ lauded them by saying that a single jurist is more difficult for Shaytaan to contend with than a thousand worshippers. Shaytaan’s objective is to make people do things that are against the Shari'ah and the worshipper does not have the time to delve into the reasons for various rulings. Even the Muhadditheen because of their involvement in screening narrators, verifying chains of narrators and in doing so many other things do not have this opportunity. It is the jurists who are specialists in their fields, who, together with keeping all the relevant verses of the Qur'aan and Ahadeeth in front of them, are able to understand what the intent of the Shari'ah is. The adage is well said that states, “There is a specialist for every field”.[1]

2. Allaama Ibn Jowzi رحمه الله relates that when some people heard that Rasulullaah ρ forbade people from watering other people’s fields, they said, “We seek Allaah’s forgiveness because when we have excess water on our fields, we direct it to the fields of our neighbours.” None of them realised that Rasulullaah ρ was referring to a person having intercourse with pregnant slave women.[2]

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[1] *Haqeeqatul Fiqh* (Vol.1 Pg.9).
[2] *Talbees Iblees* pg.166.

3. Allaama Khattabi رحمه الله reports that a Sheikh did not have his hair shaved before the Jumu'ah salaah for forty years because he heard the Hadith that Rasulullaah ρ forbade this. However, Allaama Khattabi رحمه الله explained to him that the word in the Hadith was حِلَق (with a *fatha* on the *laam*) meaning 'forming groups' and not حَلْق (with a *sukoon* on the *laam*), meaning 'shaving the head'. The prohibition was therefore from forming discussion groups in the Masjid before the salaah because at this time, people ought to perform salaah and then listen attentively to the Khutbah.[1]

4. A Muhaddith once heard the Hadith in which Rasulullaah ρ forbade using living things as targets. He however misunderstood the word رُوْح to be رَوْح , because of which he thought that Rasulullaah ρ forbade [2]

5. There was another Muhaddith who was in the habit of performing his Witr salaah only after cleaning himself in the toilet. When asked the reason, he said that he was following a Hadith in which Rasulullaah ρ instructed people to perform Witr salaah only after cleaning themselves in the toilet. What he did not realise was that the word he understood as cleaning oneself in the toilet actually meant 'to do in odd numbers'. The Hadith therefore meant that when a person cleaned himself in the toilet, he ought to clean himself an odd number of times i.e. three, five or more times if necessary.

   Rasulullaah ρ said, "May Allaah keep fresh and healthy (in mind) the person who hears my words, remembers them and conveys them on. It often happens that the one to whom the words are passed on understands them better than the one conveying them."[3]

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[1] *Talbees Iblees* pg.166.
[2] Forward of Muslim (Vol.1 Pg.18)
[3] *Mishkaatul Masaabeeh* (Pg.35).

6. Allaama Dawood Zaahiri رحمه الله whom the *Ghayr Muqallideen* look up to, once issued a fatwa that Rasulullaah ρ only prohibited urinating in stagnant water because the water will become impure by this act. This he derived from the apparent words of a Hadith that6 states, "None of you should ever urinate in standing water." Therefore, according to his fatwa, if a person urinated in a container and then emptied it into water, the water would not become impure. He also said that if a person urinated next to water and the urine flowed into the water, the water will also not be impure because in all these cases, the person did not urinate in the stagnant water itself. After recording this fatwa, Imaam Nawawi رحمه الله states that this is the worst of scenarios in a situation when people are mulish about sticking to the apparent meanings of narrations.[1]

7. Another Muhaddith whom the *Ghayr Muqallideen* look up to is Haafidh Ibn Hazam رحمه الله, who was also a great *Mufassir* and *Mutakallim* (expert on matters of belief). He claimed that a person could shorten his salaah regardless of the distance he travels, even in his locality. This he derived from the apparent meaning of the verse: ***"When you travel on earth, there is no sin on you should you shorten your salaah"***[2] He was adamant about this ruling but failed to realise that in such a situation, every person leaving for the Masjid for salaah will then need to perform Qasr salaah.[3]

8. The Sheikhul Islaam and Muhaddith of the *Ghayr Muqallideen* Moulana Abdul Jaleel Samrodi wrote in one of his booklets that according to the Hanafi Madh'hab, a person's fast will not be nullified by intercourse, regardless of whether ejaculation took place or not. He also asserts that according to the Hanafis, it will not also be necessary to bath. All of this is contrary to the truth because he failed to understand the text of *Durrul Mukhtaar*

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[1] Nawawi's commentary of Muslim (Vol.1 Pg.138) and *Fadhlul Baari* (Vol.2 Pg.72).
[2] Surah Nisaa, verse 101.
[3] *Fadhlul Baari* (Vol.2 Pg.73).

(Vol.2 Pg.103). Now if he was unable to fathom the text of a book, how will he understand the Qur'aan and the Ahadeeth. Furthermore, if this is the condition of the Sheikhul Islaam and Muhaddith of the *Ghayr Muqallideen,* what must be the condition of the rest of them?

An incident comes to mind about a Persian man who saw his friend being beaten up by a thug. He immediately went on to the scene and held his friend's hands, because of which the poor man was unable to defend himself. Taking advantage of the situation, the thug beat the man up most severely. When someone asked the foolish friend why he had done so, he replied, "Did you not read Sheikh Saadi's poem in which he says, 'When you see your friend in trouble, hold his hand.'" "You fool!" the people cried, "The poem means that you ought to help him when he is in trouble and not to physically hold his hands."

The incident is similar to the one when Mirza Mazhar Jaane Jaan رحمه الله asked his servant, "Bring the flask, but hold the belly when you bring it." By this he meant that the servant should not carry it by the neck because it could break off, but should carry it by the belly. Taking the instruction literally, the servant carried the flask in one hand and held his belly in the other hand. Because he was a sensitive man, Mazhar Jaane Jaan رحمه الله immediately got a headache when he saw this.

This is what happens when statements are taken literally without any understanding and insight. This is exactly what the *Ghayr Muqallideen* of our times are doing when they memorise some Ahadeeth and lack the proper understanding and perception of its meaning. They then claim that they are Mujtahideen and go a step further to criticise the true Mujtahideen.

They fail to realise that opinions are of two types. The one is that which defies the clear instructions of Allaah, which was what Shaytaan presented when he said, ***"You have created me from fire and created him (Hadhrat Aadam υ) from sand"***. He therefore reasoned that he was netter than Hadhrat Aadam υ and did not

want to prostrate. This type of opinion and reasoning is wrong and worthy of condemnation.

The second type of opinion and reasoning is that which does not defy clear commands and is used to elucidate the meanings of the Qur'aan and the Ahadeeth. This type of opinion and reasoning is commendable and it is this that happened to the Sahabah ψ when Rasulullaah ρ said that they should not perform their Asr salaah anywhere but at the settlement of the Banu Qurayzah tribe. Now while some of the Sahabah ψ understood that Rasulullaah ρ's intention was to emphasise a speedy march, others took the direct meaning, meaning that they should not perform the Asr salaah on the road (even if the time was running out). They therefore did not perform their Asr salaah until they reached their destination. The first group however employed their faculties of Ijtihaad and performed their salaah en route. When this was reported to Rasulullaah ρ, he did not reprimand either party. The reasoning perform the first group did not conflict with the instruction, but was merely an explanation of the same. Allaama Ibn Qayyim رحمه الله stated that this first group was the group of Fuqahaa.

Deen is founded on two factors

Deen is founded (1) accurate narration (*riwaayah*) and (2) accurate interpretation (*diraayah*). It is therefore necessary for there to be a group of people who safeguard the words of the Qur'aan and the Ahadeeth and then convey it to the *Fuqahaa*. This group is the Muhadditheen. The *Fuqahaa* who are well-versed in the principles and derivates of Fiqh and who understand the intent of these narrations then explain the meanings to the Ummah.

Allaama Ibn Qayyim Jowzi رحمه الله whom the *Ghayr Muqallideen* hold in high esteem states, "There are two things that are conveyed. One is the words and the other is the meaning and intent. The Ulema of the Ummah are therefore classified into two groups. The first are the Huffaadh of the Ahadeeth, who have memorised the Ahadeeth and have classified them in to the categories of authentic and fabricated. These men are leaders of the Ummah, the vehicles of the Ummah

who have protected the fortress of Islaam and safeguarded the rivers of the Shari'ah from contamination. The second group are the Fuqahaa of the Ummah who extract laws and issue rulings. They have been selected to document the issues of Halaal and Haraam they are like the stars in the sky by which lost people find the way and confusing questions are answered. People have always had a greater need for them and obeying them is more important than obeying one's own parents, as the Qur'aan mentions: ***"O you with Imaan! Obey Allaah, obey the Rasool ρ and obey those with command amongst you (the Fuqahaa)."***[1]

A deep understanding of Allaah's Deen is a bounty that Allaah grants to few of His servants. Rasulullaah ρ said, "Allaah grants a deep understanding of Deen to the one for whom Allaah intends good."[2] A verse of the Qur'aan states, ***"Allaah grants wisdom (a deep understanding of Allaah's Deen) to whomsoever He pleases and the one granted wisdom has indeed been given a tremendous amount of good."***[3]

The person granted a deep understanding of Allaah's Deen can truly guide others, assist them in the very intricate matters and save them from the traps of Shaytaan. It is for this reason that Rasulullaah ρ said, "A single jurist is more difficult for Shaytaan to contend with than a thousand worshippers."[4]

The *Ghayr Muqallideen* lack this deep understanding of the Deen and are therefore antagonistic towards *Fiqh* and *Tafaqquh* (deep understanding of Deen). It is for this reason that their leader Moulana Abdul Jaleel Samrodi writes in his book *Boo'e Ghilleen* that there would never have been differences amongst the Ummah had it not been for *Fiqh* and the principles of *Fiqh.* He also says that people should shun all the books of *Fiqh.* Furthermore, he states that the Qur'aan and the Sunnah will spread only when some just ruler takes

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[1] *I'laamul Muqi'een* (Vol.1 Pg.9).
[2] *Mishkaatul Masaabeeh* (Pg.33).
[3] Surah Aal Imraan.
[4] *Mishkaatul Masaabeeh* (Pg.34).

a stance like Hadhrat Umar τ and digs a trench, fills it with all the books of *Fiqh* of the various Madhaahib and sets them alight. The adage stating that a man is an enemy to that about which he is ignorant is clearly demonstrated in this enmity the *Ghayr Muqallideen* have for *Fiqh*.

Fiqh and acquiring a deep understanding of Allaah's Deen has been lauded in several Ahadeeth. Rasulullaah ρ said:

1. "Everything has a pillar and the pillar of this Deen is *Fiqh*."[1]

2. "People are mines like gold and silver mines. The bets of them are they who were the best during times of ignorance on condition that they acquire a deep understanding of the Deen".

3. "Allaah grants a deep understanding of Deen to the one for whom Allaah intends good."[2]

4. Hadhrat Ali τ said, "The example of the Fuqahaa is like the hands (on the body)."[3]

5. "A single sitting (lesson) of *Fiqh* is better than sixty years of Ibaadah."[4]

The importance of having a deep understanding of the Deen can be assessed from the fact that Rasulullaah ρ once made du'aa for Hadhrat Abdullaah bin Abbaas τ saying, "O Allaah! Grant him a deep understanding of the Deen and teach him the interpretation of the Qur'aan."[5]

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[1] Bayhaqi, Daar Qutni, as quoted in *Fataawaa Siraajiyyah* pg.158.
[2] Bukhaari and Muslim, as quoted in *Mishkaatul Masaabeeh* (Pg.33).
[3] *Mufeedul Mufti* pg.9.
[4] Tabraani in his *Kabeer*.
[5] *Tarjumaanus Sunnah* (Vol.4 Pg.258).

Understanding the Ahadeeth is the work of the Fuqahaa because people who merely narrate Ahadeeth often make serious mistakes and cause much trouble, as stated above.

In his famous compilation of Ahadeeth, Imaam Muslim رحمه الله quotes that Hadhrat Abdullaah bin Mas'ood τ once said that when a Hadith is narrated to people who cannot understand it, it becomes a source of tribulation for them.[1]

Imaam Tirmidhi states, "So have the Fuqahaa stated and it is them who know most about the Ahadeeth."[2]

Imaam Sufyaan bin Uyaynah رحمه الله who was the teacher of both Imaam Bukhaari رحمه الله and Imaam Muslim رحمه الله said, "All but the Fuqahaa can be led astray by the Ahadeeth". This means that when a person does not enjoy a deep understanding of the Deen, he is likely to interpret the Ahadeeth according to his own desires, thereby deviating far off the path of truth. The Shias, Rawaafidh, Khawaarij, Mu'tazilas, Qaadianis and so many other deviated groups have all used the Ahadeeth to substantiate their claims, but these were all interpreted according to their whims.

When Hadhrat Ali τ once asked Rasulullaah ρ what he was to do if he could not find a clear command regarding any affair, Rasulullaah ρ advised him saying, "Consult with the Fuqahaa and the ardent worshippers (the Awliyaa)."[3]

The gist of it all is that the person who ventures without the guidance of the Fuqahaa will certainly go astray. It is because of this that the *Ghayr Muqallideen* err so greatly when it comes to matters of twenty Rakaahs Taraweeh and three divorces.

The Qur'aan also speaks of a deep understanding of the Deen when it states, ***"Why does a small group from every large party not***

[1] Muslim (Vol.1 Pg.6).
[2] Vol.1 Pg.118
[3] *Ma'aarifus Sunan* (Vol.3 Pg.264-5).

proceed to attain a deep understanding of Deen so that they may warn their people (who had been engaged in Jihaad) when they return to them so that they may beware (of sin)?"[1]

Hadhrat Abu Sa'eed Khudri τ reports that Rasulullaah ρ said, "(O my Sahabah ψ) People shall follow you and men will come to you from the ends of the earth to attain a deep understanding of the Deen. When they come to you, you must be good to them."[2]

It is strange to note that while Rasulullaah ρ advised the Sahabah ψ to be good to the people who come to them to attain a deep understanding of the Deen, yet the *Ghayr Muqallideen* detest such people and want their books to be burnt! Yet the Sahabah ψ are the true Muhadditheen. It is therefore necessary for these *Ghayr Muqallideen* respect and have love for the Fuqahaa. We will present a few examples:

1. The famous Muhaddith Imaam A'mash رحمه الله was the teacher of great Muhadditheen like Imaam Shu'ba رحمه الله, Imaam Sufyaan bin Uyaynah رحمه الله and Imaam Abu Haneefah رحمه الله. However, when an intricate matter was brought before Imaam A'mash رحمه الله, he did not at all hesitate to say, "Nu'maan bin Thaabit (Imaam Abu Haneefah رحمه الله) will be able to provide a good reply to this question because I think that his knowledge has certainly been blessed."[3]

2. Hadhrat Abdullaah bin Umar reports that he was once sitting with Imaam A'mash رحمه الله when Imaam Abu Haneefah رحمه الله also arrived there. Someone then asked an intricate question, about which Imaam A'mash رحمه الله kept his peace. He then turned to Imaam Abu Haneefah رحمه الله and asked him what the answer was. When Imaam Abu Haneefah رحمه الله gave a satisfying reply, Imaam A'mash رحمه الله asked him from which Hadith did he derive the reply. Imaam Abu Haneefah رحمه الله

[1] Surah Taubah, verse 122.
[2] Tirmidhi, as quoted in *Mishkaatul Masaabeeh* (Pg.34).
[3] *Khayraatul Hisaan* pg.31.

then explained that it was from a Hadith that Imaam A'mash رحمه الله had himself narrated to him. He also explained how he had arrived at the conclusion. To this, Imaam A'mash رحمه الله exclaimed, "We (the Muhadditheen) are just the pharmacists while you people (the Fuqahaa) are the doctors."

While the pharmacists store the various medicines and know one from another, it is the doctors who know the uses of these medicines and how to administer them. Similarly, while the Muhadditheen store and classify the Ahadeeth, it is the Fuqahaa who extract the rulings from them.[1]

3. Imaam Abu Yusuf رحمه الله reports that Imaam A'mash رحمه الله once asked him a question and when he gave the reply, Imaam A'mash رحمه الله asked him where he had derived the answer. "From a Hadith that you had narrated to me," Imaam Abu Yusuf رحمه الله replied. To this, Imaam A'mash رحمه الله remarked, "I had memorised this Hadith before your parents even got together but it is only today that I have understood it properly."[2]

Even more prominent than Imaam A'mash رحمه الله was Imaam Aamir Sha'bi رحمه الله who was a Taabi'ee who had met five hundred Sahabah ψ. He said, "We (the Muhadditheen) are not Fuqahaa. We merely listen to the Ahadeeth and relate them to the Fuqahaa."[3]

Such was the reverence that the Muhadditheen had for the Fuqahaa that they admitted their virtue without pretence and referred to them when the need arose. However, as for our 'people of the Hadith' (*Ghayr Muqallideen*) who have no insight and can read only the translations of *Mishkaatul Masaabeeh*, *Mu'atta* and other books, they accuse the Fuqahaa of acting against the Qur'aan and the Sunnah an regard themselves as more learned and qualified than the Fuqahaa.

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[1] *Khayraatul Hisaan* pg.61.
[2] *Jammi Bayaanil Ilm* (Pg.131).
[3] *Tadhkiratul Huffaadh*.

Even the leaders of the *Ghayr Muqallideen* admit to the prejudice and ignorance of their people. Their Qaadhi Abdul Wahhaab Khanpuri writes in his book *At Towheed was Sunnah fi Raddi Ahlil Ilhaad wal Bid'ah*, "As for the little *Ahle Hadith* people who perpetrate acts of Bid'ah, who oppose the pious predecessors and who are really ignorant of what Rasulullaah ρ brought, they are fast becoming the unpaid successors and heirs of the Shias and Rawaafidh. Just as the Shias, Mulaahidah and Zanaadiqah became doorsteps and accessories for the Munaafiqeen, the same is becoming of these people (the *Ghayr Muqallideen)*."[1]

The famous *Ahle Hadith* Moulana Waheeduz Zamaan writesd, "While the *Ahle Hadith* declare that it is Haraam to follow Imaam Abu Haneefah رحمه الله and Imaam Shaafi'ee رحمه الله, they blindly follow Ibn Taymiyyah رحمه الله, Ibn Qayyim رحمه الله, Showkaani رحمه الله and Nawaab Siddeeq Hasan Khan."[2]

Rather than following the dictates of their passions, it is best for our *Ghayr Muqallideen* broterh to follow the Imaams.

(1) The Status and Proof of Taqleed

(2) Taqleed of Specific People

(3) Answers to Objections Against Taqleed

The central claim of Islaam is that only Allaah must be obeyed. In fact, it is Waajib (compulsory) to follow Rasulullaah ρ because his

[1] *Taqleed A'immah* pg.18.
[2] *Asraarul Lugha* pg.24.

words and deeds were a rendering of Allaah's commands. Rasulullaah ρ made clear what was forbidden and not forbidden and we obey him because he conveyed the message of Allaah. This essentially means that obeying Rasulullaah ρ is really obeying Allaah. Allaah declares in the Qur'aan, ***"Whoever obeys the Rasool ρ obeys Allaah."***

Therefore, Muslims follow only Allaah and His Rasool ρ and whoever claims that he should be followed independently of Allaah and Rasulullaah ρ, then such a person will be deemed despicable and worthy of condemnation. The two guides to follow are therefore the Qur'aan and the Ahadeeth.

There are certain laws in the Qur'aan and the Ahadeeth that can clearly be established form the verses of the Qur'aan and authentic Ahadeeth. These are called *Mansoos* laws. Then there are others that are not very clear or are very brief. There are also Ahadeeth and verses of the Qur'aan that are ambiguous, some that are *Muhkam* and others that are *Mutashaabih*. There are also those that are *Mushtarak* and those that are *Mu'awwal*. Furthermore, there are also those that seem to contradict other verses or Ahadeeth.

An example is a verse of the Qur'aan that states that a divorcee should remain in *Iddah* for three '*Quroo*'. Now because the word *Quroo* means menstruation as well as the state of purity, some confusion may arise about whether a divorcee should wait in Iddah for three periods of menstruation to pass or for three periods of purity to pass.

Another example is a Hadith that states: "When a person has an Imaam then the *Qiraa'ah* of his Imaam is his *Qiraa'ah* as well." There is also another Hadith that states: "The Imaam has been appointed to be followed, so say the Takbeer when he says it and remain silent when he does."[1] Now contrary to these Ahadeeth is a Hadith that states: "There is no salaah for the bone who does not recite the

[1] Muslim (Vol.1 Pg.174).

opening of the Qur'aan (Surah Faatiha)."[1] Like these, there are many Ahadeeth that appear t contradict each other.

There are also countless rulings that are not explicitly mentioned in the Qur'aan and the Ahadeeth and which require deep thought and analysis. To arrive at a conclusion in such matters, one may resort to two avenues. One may either base the finding purely on one's personal judgement or, alternatively, one may search for a statement that the Sahabah ψ, Taabi'een or those after them made on the same issue. By virtue of them being closer to the period of Rasulullaah ρ, such people have been lauded in a Hadith in which Rasulullaah ρ said, "The best of periods is my period, followed by those after them and then those after them." They were therefore more knowledgeable, more spiritually pure and had a deeper insight into the Deen than us.

The matter is simple to understand in the context of our worldly activities. When faced with any health issue, people refer to medical specialists, when faced with a legal issue, people consult lawyers and when faced with a construction issue, they refer to an engineer. Just as people refer to specialists when faced with a relevant issue in worldly matters, so too do they need to refer to and rely on the statements of the Mujtahideen when the issue is a Deeni one. This is what is referred to as Taqleed.

The person practising Taqleed understands that by following the Imaam, he is actually following Allaah and Rasulullaah ρ. The Imaam is merely a link in the connection to the Qur'aan and Sunnah. The example is simple. Just as worshippers follow an Imaam in salaah as they hear him call out the Takbeers, when there are too many worshippers, a Mukabbir is appointed to transmit the Takbeers further for the people at the back to hear. The Mukabbir is however still following the Imaam and is not doing anything out of his own accord. At the same time, the people at the back know that they are following the Imaam and not the Mukabbir. The Mukabbir himself also understands that he is not the Imaam and is part of the

[1] Bukhaari (Vol.1 Pg.104).

congregation lie the others. Similarly, the Imaam of jurisprudence also understands that he is merely a link and that he is following the Qur'aan and Sunnah just like everyone else.

The gist to if all is that when one is not relying on the Imaam to interpret the intricacies of the Deen, he resorts to following his own whims and passions. This is because such a person does not know which verses or Ahadeeth abrogated which others and also which rulings are preferred to which others. At the end, he will be doing only what his fancies dictate. At this point, Shaytaan seizes control over a person's heart and permeates his body. The Qur'aan depicts such a person in the worst manner, when it says: ***"but he clung to the ground (the material gains of this world) and followed his passions. His example is like that of a dog."***[1]

Allaah also says, "***Have you seen the one who has taken his whims as a Ilaah (who follows the dictates of his desires); whom Allaah has allowed to stray despite (possessing) knowledge (of the truth); whose (spiritual) ears and heart Allaah has sealed and on whose (spiritual) eyes Allaah has cast a veil."***[2]

Yet another verse states: ***"Can the one who is upon a clear proof from his Rabb be like the one whose evil acts have been beautified for him and who follows his whims?"***[3] There can be no doubt about the fact that the first is better than the latter.

Following the dictates of one's passions is so bad that even Rasulullaah ρ was cautioned about it in the Qur'aan. Allaah says, ***"Do not obey him whose heart We have made heedless of Our remembrance, who pursues his passions and whose (every) affair entails transgressing (the laws of Allaah).***[4]

[1] Surah A'raaf, verse 176.
[2] Surah Jaathiya, verse 23.
[3] Surah Muhammad ρ.
[4] Surah Kahaf, verse 28.

Allaah also says, ***"Should you now follow their wishes after knowledge (revelation) has come to you, then surely you would be among the unjust ones."***[1]

Another verse states, *"**and do not follow their wishes, leaving aside the truth that has come to you."***[2]

Yet another verse says, ***"And (O Muhammad ε) you should judge between them by that which Allaah has revealed to you and do not follow their whims. Beware of them lest they should divert you (be careful that they do not turn you away) from some part of what Allaah has revealed to you."***[3]

Allaah says, ***"Then (after all these nations had passed on) We placed you (O Rasulullaah ρ) on a special way (the Shari'ah of Islaam), so follow it (by practising and propagating it) and do not follow the whims of those who have no knowledge.***[4]

Although addressed to Rasulullaah ρ, the Qur'aan is cautioning all of the Ummah against following the dictates of their Nafs when He says, ***"and do not follow carnal passions which will mislead you from Allaah's path."***[5]

In another verse, Allaah says that those who do not follow Rasulullaah ρ are actually following their whims and are the most deviated of people. Allaah also says, ***"Who can be more unjust (misguided) than the one who follows his whims without any guidance from Allaah?"***[6]

While the *Ghayr Muqallideen* follow their Nafs, by the grace of Allaah, we who follow the Imaams are safely following the Qur'aan and the Sunnah. While we refer to the statements and deeds of the Sahabah

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[1] Surah Baqara, verse 145.
[2] Surah Maa'idah, verse 48
[3] Surah Maa'idah, verse 49
[4] Surah Jaathiya, verse 18.
[5] Surah Saad, verse 26.
[6] Surah Qasas, verse 50.

ψ and pious predecessors when faced with a unique situation, the *Ghayr Muqallideen* decide on the grounds of their personal fancies because they have no knowledge of Ijtihaad, of the abrogated laws and other details of jurisprudence.

Rasulullaah ρ said, "None of you can have true Imaan until his desires are subservient to what I have brought."[1]

Rasulullaah ρ also said, "There shall come e time when there will be people in whose bodies desires and passions will flow just as no vein or sinew of a person is left unaffected when a person is bitten by a rabid dog."[2]

Two factors come to the fore when analysing the above Hadith. The first is that the rabies germ penetrates every area of the person's body, leading to his eventual death. Secondly, if this diseased person has to bite a healthy person, the healthy person will also become ill. Such is the condition of a person who follows the dictates of his Nafs. While he is a danger to himself, he also poses a threat to those in his company.

Desires and carnal passions are the walls surrounding Jahannam and whoever indulges in them is actually heading for Jahannam. It is for this reason that Rasulullaah ρ said, "Jannah is surrounded by hardships and Jahannam is surrounded by carnal passions."[3]

Hadhrat Abdullaah bin Mas'ood τ once said to the people, "Today you people are in a time when desires are subservient to knowledge (of Deen) whereas a time shall come when knowledge will be subservient to desires."[4]

The famous Sheikh Abu Umar Zujaaji رحمه الله (student of Hadhrat Junaid Baghdadi رحمه الله) said, "People during the Period of

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[1] *Mishkaatul Masaabeeh* (Pg.22).
[2] *Mishkaatul Masaabeeh* (Pg.30).
[3] Bukhaari and Muslim.
[4] *Ihyaa* (Vol.1 Pg.93).

Ignorance followed that which their minds and disposition approved of. Rasulullaah ρ then came and referred them to the Shari'ah and obedience. The sound mind is therefore that mind which approves of that which the Shari'ah approves of and which disapproves of that which the Shari'ah disapproves of."[1]

Imaam Shaatbi رحمه الله said, "The Shari'ah is there to remove people from the dictates of their whims."[2]

Hadhrat Abdul Qaadir Jaylaani رحمه الله said, "Shirk does not entail only worshipping idols, but it is also when you follow the dictates of your Nafs." This, he mentioned while explaining the verse: "***Have you seen the one who has taken his whims as a Ilaah (who follows the dictates of his desires)"***[3]

Shah Wali'ullaah Muhaddith Dehlawi رحمه الله wrote: "Remember that it is the natural inclination of the Nafs to follow its carnal passions and will always do this unless the light of Imaan enters it."[4]

Hadhrat Dhun Noon Misri رحمه الله said that people will fall prey to corruption for the following six reasons:

1. Weakness of intention with regard to the acts of the Aakhirah

2. When their bodies become an instrument for fulfilling their desires

3. When long hopes overcome them despite their short lives

4. When they prefer to please the creation rather than the Creator

5. When they follow the dictates of their Nafs rather than the Sunnah of their Nabi ρ

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[1] *I'tisaam* (Vol.1 Pg.67).
[2] *I'tisaam*.
[3] *Futuhul Ghayb* (Pg.21).
[4] *Hujjatullaahil Baaligha* (Vol.2 Pg.306).

6. When they make the errors of their predecessors a proof for their errant ways and forsake the virtuous deeds of these predecessors[1]

In short, it must be emphasised that following the dictates of the Nafs has been condemned by the Qur'aan, the Ahadeeth and the Ulema. The best course for people's safety is to follow the rightly guided Imaams and to rely on their guidelines. Following any of the four Imaams is a haven of safety for any Muslim.

Shah Wali'ullaah Muhaddith Dehlawi رحمه الله writes: "One ought to know that there is immense benefit in following the four *Madhaahib* and tremendous harm in turning away from them."[2] In the same book, he writes further, "The second reason for following a *Madh'hab* is that Rasulullaah ρ said, 'Follow the broader consensus of people'. Since there are no *Madhaahib* on the truth besides the four *Madhaahib*, following them will be following the broader consensus of people and failing to follow them will be to leave the broader consensus of people, which will be against the instruction of Rasulullaah ρ."[3]

Therefore, if one wishes to remain safe from the curses associated with following ones desires, one should follow one of the four Madhaahib, especially in these times when tribulations are so great and about which Rasulullaah ρ said, "Then (after the best of periods) lying will be most rife."

Sound thinking will tell one that Taqleed is really natural and is attached to people like their shadows. Even our *Ghayr Muqallideen* brothers are not exempt from this because the children in their homes follow and imitate what their elders do. Their womenfolk are not Muhadditheen and also have to ask their men to find out what they need to be doing. Do they regard this form of following also to be Shirk and Bid'ah? In fact, the various trades and professions of this world also require Taqleed. If a person merely studies medicine

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[1] *I'tisaam* (Vol.1 Pg.64-65).
[2] *Uqdul Jayyid* pg.31.
[3] *Uqdul Jayyid* pg.33.

without training under anyone and then opens a surgery, it will only be a madman who would consult him.

Now the adage is famous that says: "While a fake doctor is a threat to the health, a fake Aalim is a threat to the Imaan." Since people feel the need for Taqleed in worldly matters, it is even more necessary for it to be a requirement when Deeni matters are concerned. Here we have a few people who study a bit of the translations of the classical works and then think that they are experts in the field of Qur'aan and Ahadeeth. They go a step further and criticise the Mujtahideen and declare Taqleed to be Shirk and a Bid'ah, while regarding their following of their Nafs as Towheed.

Taqleed as proven in the qur'aan and ahadeeth

Let alone the permissibility of Taqleed, the Qur'aan and Ahadeeth actually emphasise that it is Waajib (compulsory). Here follow a few verses of the Qur'aan:

1. ***"Ask those who know if you do not know."***

2. ***"Those are the ones whom Allaah had guided, so follow in their guidance."*** While this verse commands following the previous Ambiyaa عليهم السلام, another verse states, ***"Follow the creed of Ibraheem υ who was on the straight path and averse to all wrong ways."***

3. ***"O you with Imaan! Obey Allaah, obey the Rasool ρ and obey those with command amongst you."***

4. ***"Had they referred it to the Rasool ρ and to those in command amongst them, then surely those with insight would have been able to verify the matter."***

5. ***"Why does a small group from every large party not proceed to attain a deep understanding of Deen so that they may warn***

their people (who had been engaged in Jihaad) when they return to them so that they may beware (of sin)?" [1]

6. ***"From them We made leaders who guided under Our command when they exercised sabr and were convinced about (the truth of) Our Aayaat.*** [2]

7. ***"Follow the path of the one who turns towards me."***

8. ***"O you who have Imaan! Fear Allaah and be with those who are true."***

Here follows a few Ahadeeth on the subject:

1. Hadhrat Hudhayfah τ reports that Rasulullaah ρ said, "I do not know for how much longer I shall be with you, so (after I die), follow the two after me, Abu Bakr and Umar."[3]

2. Rasulullaah ρ said, "You must hold fast to my way of life and the ways of life of the righteous and rightly guided Khulafaa …"[4]

3. Rasulullaah ρ said, "My Sahabah ψ are like guiding lights and whichever of them you follow, you shall be rightly guided."[5]

4. Hadhrat Mu'aadh bin Jabal τ reports that when Rasulullaah ρ sent him to Yemen, Rasulullaah ρ asked, "How will you pass judgement when a case comes before you?" Hadhrat Mu'aadh τ replied, "I shall pass judgement according to the Book of Allaah." Rasulullaah ρ asked, "And of you do not find the ruling in the Book of Allaah?" Hadhrat Mu'aadh τ replied, "I shall then pass judgement according to the Sunnah of Rasulullaah ρ."

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[1] Surah Taubah, verse 122.
[2] Surah Sajdah, verse 24.
[3] *Mishkaatul Masaabeeh* (Pg.560).
[4] *Mishkaatul Masaabeeh* (Pg.30).
[5] *Mishkaatul Masaabeeh* (Pg.554).

Rasulullaah ρ asked, "And of you do not find the ruling in the Sunnah of Rasulullaah ρ?" Hadhrat Mu'aadh τ replied, "I shall then apply my mind without making compromises." Rasulullaah ρ then placed his hand on Hadhrat Mu'aadh τ's chest and said, "All praise belongs to Allaah Who has inspired the messenger of the messenger of Allaah with that which pleases him."[1]

The following becomes evident from this narration of Hadhrat Mu'aadh bin Jabal τ:

- There are many rulings that are not apparent in the Qur'aan and the Ahadeeth

- Applying one's mind to those rulings that are nor clearly stated in the Qur'aan and the Ahadeeth is commendable and pleases Allaah and Rasulullaah ρ

- Applying one's mind to a question of Deen is a bounty from Allaah that Rasulullaah ρ praised Allaah for. The fact that Rasulullaah ρ placed his hand on the chest of Hadhrat Mu'aadh bin Jabal τ shows that the blessings of Rasulullaah ρ are with the Faqih and Mujtahid.

- Rasulullaah ρ had sent Hadhrat Mu'aadh bin Jabal τ to Yemen to be the judge there and knew that the people of Yemen would refer their matters to him and would be following what he told them. They would therefore be making Taqleed of him. Close inspection of the above Hadith will reveal the reality and proof for Taqleed.

[1] *Mishkaatul Masaabeeh* (Pg.324) and Abu Dawood (Vol.1 Pg.149).

5. Rasulullaah ρ also said, "The Ulema are the heirs of the Ambiyaa عليهم السلام."[1] Therefore, just as it is Fardh (obligatory) to follow the Ambiyaa عليهم السلام, so too is it to follow the Ulema. The legacy of the Ambiyaa عليهم السلام is their knowledge and since the Ulema also have this knowledge of the Shari'ah, it is necessary to follow them as well.

6. Rasulullaah ρ also said, "It was their Ambiyaa عليهم السلام who led and ruled over the Bani Israa'eel. Each time a Nabi υ passed away another succeeded him. Remember that there shall be no Nabi after me, but there shall be Khulafaa and there shall be many of them (follow them as you had been following me).[2]

The above Ahadeeth and verses of the Qur'aan prove the importance of Taqleed. Taqleed is of two types. The first type is not to follow any particular Imaam, but to choose to follow one Imaam in certain matters and another in other matters. This is called *Taqleed Mutlaq*. The other form of Taqleed is to follow a specific Imaam in all matters. This is called *Taqleed Shakhsi*. Both types of Taqleed were common during the tie of the Sahabah ψ and the Taabi'een. Those Sahabah ψ who were not Fuqahaa followed the ruling of those who were regarded to be Fuqahaa. Whenever someone asked a ruling from the Fuqahaa, they replied sometimes with proof and sometimes without, and in all cases, the questioner practised what he was told. Never did the questioner ever ask the proof if it was not provided.

Shah Wali'ullaah Muhaddith Dehlawi رحمه الله says that the custom from the time of the Sahabah ψ up to the time of the four Imaams was to follow a reliable Faqih and no one questioned this custom. Had it been something questionable, the great Sahabah ψ and Taabi'een of the time would have certainly questioned it. *Taqleed Shakhsi* was also commonly practised because we see that the people of Makkah always referred to Hadhrat Abdullaah bin Abbaas τ

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[1] Ahmad, Abu Dawood and Tirmidhi, as quoted in *Mishkaatul Masaabeeh* (Pg.34).
[2] *Ma'aariful Qur'aan* (Vol.1 Pg.185).

when there arose a difference in any ruling and they followed his ruling in the matter. Similarly, the people of Madinah referred to Hadhrat Zaid bin Thaabit τ and the people of Kufa referred to Hadhrat Abdullaah bin Mas'ood τ.

1. When people once asked Hadhrat Abu Moosa Ash'ari τ about something, he gave them a reply that turned out to be contrary to that which Hadhrat Abdullaah bin Mas'ood τ gave. When Hadhrat Abu Moosa Ash'ari τ heard about this contradiction, he told the people, "Do not ask these rulings from me as long as that man of deep knowledge (Hadhrat Abdullaah bin Mas'ood τ) is with you."[1]

2. A narration from Hadhrat Ikrama رحمه الله in Bukhaari states that when some people of Madinah asked Hadhrat Abdullaah bin Abbaas τ about the ruling concerning a woman who started to menstruate after performing her Fardh Tawaaf (could she return home without performing the Tawaaf *Widaa?*). When Hadhrat Abdullaah bin Abbaas τ ruled that she may return home, they said, "We cannot accept your verdict and discard the verdict of Zaid bin Thaabit τ." This narration makes it clear that they practised Taqleed Shakhsi in following Hadhrat Zaid bin Thaabit τ. When he heard this, Hadhrat Abdullaah bin Abbaas τ neither reprimanded them, nor said that what they were doing was shirk or a Bid'ah. This he would have done if such a form of Taqleed was not permissible.

3. Although Hadhrat Abdullaah bin Abbaas τ was himself a Mujtahid, he always maintained that it was no necessary to follow the verdict of anyone else as long as Hadhrat Ali τ was alive.[2]

4. It is mentioned that as long as Hadhrat Saalim bin Abdullaah رحمه الله lived, Imaam Naafi رحمه الله never issued Fataawaa.[3] This

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[1] Bukhaari and Muslim, as quoted in *Mishkaatul Masaabeeh* (Pg.264).
[2] *Kalimatul Fasl* pg.19.
[3] *Tadhkiratul Huffaadh* (Vol.1 Pg.98).

makes it apparent that during the time of Imaam Naafi رحمه الله, people followed only Hadhrat Saalim رحمه الله.

5. The previously quoted narration of Hadhrat Mu'aadh bin Jabal τ being sent to Yemen proves both Ijtihaad as well as Taqleed Shakhsi because by allowing Hadhrat Mu'aadh bin Jabal τ to apply his mind to matters, Rasulullaah ρ was making it compulsory for the people of Yemen to follow only Hadhrat Mu'aadh since he was the only one sent to them as judge and religious instructor.

6. It is common knowledge that there were seven great Fuqahaa who were followed during the period of the Taabi'een.

All the above clearly illustrates that both forms of Taqleed were well practised during the time of the Sahabah ψ and the Taabi'een. It must be remembered that these were the best of times according to Rasulullaah ρ. It was time when people were overcome with Taqwa and religiousness and because people always took the more cautious of any two opinions, they comfortably practised Taqleed Mutlaq as well as Taqleed Shakhsi. However, as the times moves away from the blessed period of Rasulullaah ρ, piety and scrupulousness deteriorated and people started to become overwhelmed with worldly matters, the Ulema whose fingers were always on the pulse of the Ummah restricted Taqleed to Taqleed Shakhsi.

The Ulema all started to support this move and eventually the Ummah stood unanimously upon this because without such Taqleed, the laws of the Shari'ah would be a toy in the hands of every person and would be manipulated to conform to their desires.

In one of his works, Hadhrat Shah Wali'ullaah رحمه الله says, "It was during the second century of Islaam that following a particular *Mujtahid* became common and there was scarcely anyone who did not do so. This was compulsory."[1]

[1] *Insaaf* pg.59.

Hakeemul Ummah Hadhrat Moulana Ashraf Ali Thanwi رحمه الله writes that it is really permissible to follow various people and ask something from each of them to follow. In fact, the pious predecessors did ask certain rulings from Imaam Abu Haneefah رحمه الله and other rulings from Imaam Awzaa'ee رحمه الله and others. Today's people now wish to also do the same. While this is in itself permissible, it is forbidden because of another factor. However, before understanding this, first understand the following introduction. What needs to be understood is that the overwhelming and prevailing condition of people should be noted. The distinct difference between the people of that period and of today's times is that the people of those times were overwhelmed by piety and religiousness. Therefore, if they asked several Mujtahiddeen, it was really coincidental or because they wished to follow the most cautious of opinions. Now if the same state of religiousness prevailed today. It would not be necessary to restrict Taqleed to the following of only one person. But this is not the case today and how would such a state remain until today? Rasulullaah ρ explicitly mentioned that after the best of times, lying and dishonesty would become widespread and the condition of people would be much worse.

Such is the situation today when people worship their desires and every person includes his motives in his opinions. Allaama Shaami رحمه الله reports an incident of a Faqih who wished to marry the daughter of a certain Muhaddith. The Muhaddith however stipulated that he would allow the marriage only if the Faqih conformed to the practices of '*Raf'ul Yadain*' and '*Aameen bil Jahar*'. The Faqih accepted and the couple were married. When the incident was mentioned to a saint of the time, he lowered his head and after a while said, "I fear for his Imaan because he compromised what he was doing as a Sunnah for worldly gain."

If people are allowed to practise *Taqleed Mutlaq*, they would do so for their own ends. For example, if a person with wudhu started to bleed, he would maintain that his wudhu is no broken in accordance with the view of Imaam Shaafi'ee رحمه الله. If he later happened to touch a woman, he would then say that his wudhu is till not broken

because wudhu does not break in this way according to Imaam Abu Haneefah رحمه الله. In such a situation, he neither has wudhu according to Imaam Shaafi'ee رحمه الله as well as according to Imaam Abu Haneefah رحمه الله, even though he will be adamant that his wudhu is intact. People will therefore search for a ruling that appeases their whims and reject whatever does not. Deen will therefore be non-existent and all that will remain will be whimsical fancies.

Therefore, although *Taqleed Shakhsi* was not necessary during the best of times, it is necessary nowadays because of the difference of the people. Although it will not be said that *Taqleed Shakhsi* is Waajib (compulsory) or Fardh (obligatory), it must be noted that it secures the welfare of a person's Deen and without it, his Deen will be destroyed. Therefore, together with such Taqleed securing the safety of one's Imaan, it also makes life much easier.[1]

Even Allaama Ibn Taymiyyah رحمه الله stressed the importance of *Taqleed Shakhsi* when he wrote, "According to their whims, these people sometimes follow an Imaam who permits a marriage and then follow another Imaam who disallows it. Such a practice is not at all permissible."[2]

The Ghayr Muqallidden profess to follow Sheikh Abdul Wahhaab Najdi, but are really stepping ahead of him because even he professes to follow an Imaam. He writes, "By the grace of Allaah, we follow our pious predecessors and are not perpetrators of Bid'ah. We follow the Madh'hab of Imaam Ahmad bin Hambal رحمه الله.[3]

In another book, he writes, "I praise Allaah for being a follower of the pious predecessors and for not being a perpetrator of Bid'ah. My beliefs and Deen are those that conform with the Deen of Allaah.

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[1] *Ashraful Jawaab* (Vol.2 Pg.89-96).
[2] *Fataawaa Ibn Taymiyyah* (Vol.2 Pg.240).
[3] Muhammad bin Abdul Wahhaab by Allaama Ahmad Abdul Ghafoor, published in Beirut.

They are those of the Ahlus Sunnah wal Jamaa'ah and the four Imaams and their followers.[1]

Explaining the stance of his father and himself, Sheikh Abdullaah who was the son of Sheikh Abdul Wahhaab Najdi writes, "We follow the Ahlus Sunnah wal Jamaa'ah in the principles of Deen, we follow the ways of the pious predecessors and follow Imaam Ahmad bin Hambal رحمه الله in the derivatives of Deen. We also do not condemn any person following any of the other three Imaams."[2]

The above clearly spells out the stance of both Sheikh Muhammad bin Abdul Wahhaab and Allaama Ibn Taymiyyah رحمه الله , both of whom are revered by our Ghayr Muqallidden brothers. They both regarded Taqleed to be necessary and did not at all refer to it as Shirk or a Bid'ah. However, our Ghayr Muqallidden brothers make no secret of their stance when they say in their book *Fiqh Muhammadi*[3], "Millions of thanks to Allaah for saving us from the Shirk of following a Madh'hab and being either Hanafis, Shaafi'ees, Maalikis or Hambalis. So many people are trapped in this whereas opposing the commands of Allaah and His Rasool ρ is Shirk according to a verse stating that people take their priests and religious leaders as gods apart from Allaah. The Hadith of Hadhrat Adi bin Haatim τ also professes the same."

The verse referred to by the author of the above book deduces that Taqleed is Shirk by virtue of the quoted verse of the Qur'aan. The verse however refers to the Jews and Christians who would listen to their priests and Rabbis when these men made lawful that which their religions clearly forbade and which they always knew was unlawful. Hadhrat Adi bin Haatim τ then asked Rasulullaah ρ what the Qur'aan meant by saying that the Jews and Christians took their religious leaders as gods whereas they never worshipped them.

[1] Muhammad bin Abdul Wahhaab by Allaama Ahmad Abdul Ghafoor, published in Beirut, pgs. 175-176.
[2] *Al Hadiyyatus Suniyyah* pg. 38. These extracts have been quoted from Moulana Muhammad Manzoor Nu'maani's book about the propaganda against Sheikh Muhammad bin Abdul Wahhaab.
[3] Pg.4.

Rasulullaah ρ explained, “Although they never worshipped them, they regarded something as lawful if these leaders legalised them and regarded things as unlawful when they outlawed them.”[1]

The clear difference between Taqleed and the ways of the Jews and the Christians is that Muslims do not regard the Imaams as the law-makers of the Shari'ah as the Jews and Christians did, but as conveyers of the commands of Allaah, as has been already explained. The verse of the Qur'aan therefore has no bearing on Taqleed as we define it. Shah Wali’ullaah Muhaddith Dehlawi رحمه الله sums it up as follows: “While the original command is from Allaah, the ruling of something being Halaal or Haraam is attributed to Rasulullaah ρ because his words are a sure indication of the command. They are further attributed to the Mujtahideen of the Ummah because they are reporting from Rasulullaah ρ or deriving the rulings from what he said.”[2]

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[1] Tirmidhi.
[2] *Hujjatullaahil Baaligha* (Vol.1 Pg.127).

A GIFT TO THE AHLE-HADITH

By Abu Bilaal Jhangawi

The following is a dialogue between a Sunni Muslim and an Ahle-Hadith

S - will refer to the Sunni
G - will refer to the Ahle-Hadith / Ghair muqallid

Greeting with one hand

S - Assalaamu-alaikum! Brother, how are you?
G - Wa-alaikummus-salaam! I am fine, and what makes you sit here?

S – You know, I have seen you read namaaz here once or twice. The thought came to mind many times that I should sit and discuss a few things, nevertheless, today I thought let me just sit down.

G- You are the king…..Whenever you wish, as long as you wish, sit, and do not just discuss a few things, but open to your hearts content.

S- Brother, what I would like to say is, I have previously seen that when you stand to perform namaaz you remove the topi from the head and leave it aside. You then slap the right hand over the wrist of the left hand, and then strut your neck, spreading your legs wide apart, you stand. I cannot seem to understand these things. Could you perhaps explain these to me?

G- These would surely be explained. We do these, for the very reason that people question us and we can thereby free the necks of people from fiqh and bring them onto the Quraan and Hadith.

S- Very well my brother! Before discussing and researching these issues, could you explain extending just one hand, that too, very rigidly when greeting?

G- By all means. Before our discussion, open your ears and listen well, we do not believe in any fiqah shiqah. **All our rulings are taken directly from the Quraan and Hadith**. With great ease we take the saying of a Sahabi or Imam and throw it in the rubbish bin. Neither do we follow any Imam shImam. ["Shiqah and ShImam" – additional non-meaningful words, used to create rhyme.]

S- Very good my brother! What you say is absolutely perfect. The saying of anyone, if contrary to the Quraan and Hadith will not be practiced upon and rejected when it is in conflict with an authentic Hadith or the book of Allaah.

G- The matter regarding greeting which you had brought up before discussing the issue of namaaz, well, to extend both hands is not found in the Hadith, rather wherever the Hadith of greeting or shaking hands appears, the Arabic word "yad" is used, which refers to one hand only. The word for two hands in the Arabic language is, "yadaan".

S- Brother! First of all to say that "yad" refers to just one hand is incorrect, but the word "yad" is a generic noun, and a generic noun could refer to one or many. Anyway, since you have taken the meaning of "yad" as one hand, which word in the Hadith translates as, right hand?

G- You are now going into a scientific discussion. All I want is for you to show me the words, two hands. That's it!

S- Brother! I had taken permission to have a detailed discussion from the outset. Today we will not suffice on, 'that's it', but there would

be detail. Look, we have been prohibited from washing ourselves in the toilet using the right, and eating using our left hand, in the Hadith. Similarly from which verse of the Quraan or which Hadith do you prove that you should greet using the right hand, and not the left hand, so that you can substantiate your claim, and there would remain no room for rejection? To imply only one hand and that too, right hand from the word "yad", where do you get this from?

G- Just show me the words two hands, and only the book of Bukhari, you may not present any other book (as proof).

S- Brother! Why are you getting upset? You have not yet proved your claim from any book, and here you ask me to give proof from Bukhari. Look, if you want me to prove everything from Bukhari, I would also like proofs from Bukhari only. If you derive the entire Deen from Bukhari, then only should you restrict me to Bukhari.

G- Which ruling is it that we take and practice upon; accept that it is not found in Bukhari?

S- Respected brother! Placing the hands on the chest, which is a distinctive act of your school of thought, leave alone finding it in Bukhari, it is not even found in any of the six authentic books (of Hadith).

G- How is it possible that a ruling of ours is not found in the Hadith, and then, not even in the six books of authentic Ahaadith. Look the Hadith mentioning the placing of the hands on the chest could be found in the *maraaseel* of Abu-Dawud, *pg* 6.

S- Brother! The *maraaseel* of Abu-Dawud is not included amongst the six authentic books, but it is a separate booklet of Abu-Dawud, which has been compiled in the same volume as the *Sunan* of Abu-Dawud, due to which you have been mistaken. Similarly *Shamaail e Tirmizi* has been compiled in the same volume as *Tirmizi*, whereas it is a completely separate book. Secondly, a mursal narration is not considered as proof according to the Ghair MuqalliDeen Ulama.

G- Which ruling of ours is not found in Bukhari?

S – :

1. Placing the hands on the chest,
2. Spreading the feet,
3. To stand with haughtiness,
4. Your one rakaat is not in Bukhari, i.e in every salah how many are farz and how many are Sunnah,
5. The faraaiz, wajibaat, makroohat etc. of salah are not mentioned in Bukhari,
6. The details of the janazah salah that you perform are not in Bukhari,
7. The method of performing eid is not in Bukhari,
8. To sit and urinate is not mentioned in Bukhari,
9. You have a sword drawn on your flag and,
10. The kalima written on it. The flag of Nabi ρ having a sword drawn on it or the Kalima written on it is not found in any book of the world, leave alone being found in Bukhari. In fact, this is an innovation. When others say the kalima aloud after salah, they are called innovators, and you come up with a new flag and you are not an Innovator. What justice is this? Well, that is ten in total.

G- Just show me the Hadith that mentions both hands, if not from Bukhari, then any book.

S- Brother! I do not know if you have even seen Bukhari shareef or not. On *pg 926 vol.2* Imam Bukhari establishes a chapter titled, "The chapter of shaking hands." Under this he brings the Hadith regarding shaking of hands. Hadhrat Abdullaah ibn Masood (R.A) says, 'my palm was between the palms of Rasulullaah (S.A.W).

G- You have narrated incorrectly. There is no mention of shaking hands here.

S- I have not narrated incorrectly; Imam Bukhari has mentioned this Hadith under the chapter of shaking the hands on *pg 926 vol. 2*.

G- We do not accept any 'baab shaab' (chapter). We only accept the Hadith of Nabi ρ

S-Brother! The ruling regarding the recital of surah Faatiha, which Imam Bukhari has established a chapter on, on *pg 104 vol. 1*, here you readily accept a 'baab shaab' (Chapter), then why do you not accept it for this (the rule on shaking hands)? (By not accepting, you are) adopting the way of those mentioned in the verse, 'they bring faith on part of the book, and reject parts of it' (This picking and chosing) was the manner of whom after all? When the Ahlus Sunnah present the Hadith of drunken horse, to prove the prohibition of *rafe yadain* (lifting the hands), then every Ghair Muqallid wahhaabi cries, 'see the chapter in Muslim, *pg 181*'. There, the chapter is neither that of Imam Bukhari, nor Imam Muslim, but it is the chapter of Imam Nawawi, and it is the chapter regarding being calmed (motionless) in salah. Brother! Here you suddenly see very big 'baabs', and when the baab of Imam Bukhari is used against you, then you do not believe in any 'baab shaab'

G- Okay, I accept baabs, but look, most definitely Nabi ρ extended both hands and the Sahabi only extended one, did he not?

S- Brother! Which words indicate/prove that the Sahabi only extended one hand?

G- 'My palm was between the two palms of Nabi ρ'

S- My beloved! Would you kindly extend your hand to me? Extend both your hands (please). Look, we are shaking hands. Both your hands are extended to me, though just one is between my two hands, whilst the other is on the outside (of my hand), similarly, only one of my two hands are between both your hands. How then do you prove that the Sahabi extended just one hand? The Sahaba were such that they were prepared to die on **just the indication of Nabi ρ, it is an impossibility to expect a Sahabi to extend just one hand, while**

Nabi ρ **would extend both his hands.** Lets assume for a minute that the Sahabi did extend just one hand, then too we will give preference to the practice of Nabi ρ, and on many occasions when the Ahlus Sunnah present the word of a Sahabi, then you immediately reject it saying, **the word of a Sahabi is not proof, we do not accept it.** (Taraweeh, Talaaq, etc.)

G- Should we extend both our hands, this would amount to imitating the Messenger, that is why we extend just one hand.

S- Brother! In that case we are imitating a Sahabi by extending one hand; therefore I think we should just extend our little fingers to one another, so that we do not mimic the Messenger, or the Sahabi. Brother! All this is just to get away from the Hadith and nothing else.

G- You have not yet answered the question regarding 'yad' neither have you explained it. I am saying that 'yad' refers to just one hand.

S- Brother your taking the meaning of 'yad' is harmful to you, for it is mentioned in the Hadith, 'a Muslim is he, from whom other Muslims are protected from (the harm of) his tongue and hand', so in your opinion one should not cause harm with the right hand, but it would be permissible for him to rob or stab and kill someone with his left hand!

G- O my! This is obviously incorrect, in any case who greets with one hand?

S- The English do. They say, 'Good morning' and extend one hand.

G- Brother, it is even the rule of our army to greet with one hand. Do you not believe in the army?

S- Brother, amongst other rules of the army, this is also a rule of the English; it is not proven from the Quraan or Ahadith. Now you are taking the protection of the army, whereas you had said that we would not go beyond the Quraan and Ahadith. Nevertheless, may Almighty Allaah give you the ability to accept.

To perform salah bare headed

G- The other question you had asked was why I had removed the topi from my head. My action is precisely in accordance to the Sunnat of Nabi ρ

S- If reading salah bare headed is proven to be Sunnat, we would also practice. Could you perhaps give the definition of Sunnat?

G- That which Nabi Nabi ρ had done is called, Sunnat. To practice on it will earn us rewards.

S- Someone has given you the incorrect definition of Sunnat. That which Nabi ρ had done once or twice, or that which Nabi ρ had discontinued, will not be termed as Sunnat.

G- Then what is a Sunnat?

S- That which Nabi ρ had perpetually done is called Sunnat, while that which he had stopped doing, or had at some point done but never again done, will not be Sunnat.

G- We consider even that which Nabi Nabi ρ had done once to be Sunnat.

S- Then you probably consider it Sunnat ***to stand and pass urine***, because it is mentioned in the Hadith that Nabi ρ stood and passed urine on one occasion. (Bukhari *pg 35, 36, 336 vol. 1*) And, nowhere in Bukhari Shareef is there any Hadith regarding sitting and passing urine. Not a single place. To make things even better, there is no Hadith regarding sitting and passing urine in Muslim shareef either, but the Hadith of standing and urinating is found there even! (Muslim *pg.133 vol.1*). Nabi ρ had also lifted up a little girl whilst performing salah, (Bukhari *pg 74 vol.1* Muslim *pg 205 vol.1*) He had also exposed his shoulder in salah (Abu-Dawud), do you then

consider all these to be Sunnat? How many times have you practiced on these Sunnan?

G- These actions are not Sunnat.

S- Look brother! These acts were carried out by Nabi ρ but they are not Sunnat. This is what we are saying; every act of Nabi ρ is not a Sunnat, eg. He had gargled his mouth while making wudhu, which we consider Sunnat, after wudhu he had kissed his wife; we do not consider this as Sunnat. Both are the actions of Nabi ρ; one is a Sunnat, while the other is not. Similarly, to read the thanaa is Sunnat, but to lift a little girl (in salah) is not Sunnat, whereas he had done both these acts. You even accept this, and if both these are Sunnat, according to your explanation (of Sunnat) earlier, then all those Ghair MuqalliDeen coming into the masjid not carrying a little girl, are guilty of discarding the Sunnat, and in your words, are being deprived of great rewards. You should kindly turn their attention towards this great reward

G- I am able to show you a Hadith wherein Nabi ρ had worn one cloth and read salah, whilst he placed another on the ground.

S- Brother! The words, one cloth are undoubtedly mentioned, but this doesn't prove reading bare headed.

G- When one cloth is mentioned, bare headed is already proven by the way. How can the whole body be covered in one cloth?

S- Brother! To prove reading bare headed from this Hadith is now forcing the issue. Show me the words, bare headed. Wearing one cloth doesn't mean the head is bare headed. A person can comfortably cover his entire body including the head in one big cloth.

G- Reading namaaz in one cloth has been proven, you have even accepted it.

S- When there are no other clothes available, it is permissible to wear only one piece of cloth, this was done by Nabi ρ to show permissibility.

G- Look I have proven that reading Namaaz in one cloth is Sunnat.

S- Brother! I think you have a bad memory; you had previously accepted that something done once or twice is not a Sunnat, a Sunnat perpetual, not temporary. If namaaz, read in one cloth, is Sunnat, then this Sunnat is being butchered in your Masaajid. Today you should make the announcement, 'all those reading namaaz wearing six pairs of clothes are innovators, because Nabi ρ had worn just one cloth.

G- When did we ever wear six pairs of clothes?

S- Brother! You should count trousers, shirt, vest, hat, jacket, socks. You should bring alive a dead Sunnat by asking all those reading namaaz in these clothes, that everyone should remove all their clothes, some leaving just the sock, some the hat, some the shirt, so that all could practice on the words 'one cloth', and firstly, you and your entire family should practice on this. **This rare philosophy of taking one cloth to imply bare headed doesn't make sense to me.** Tomorrow someone will say this implies only to the cloth worn around the waist, are you going to reject this? He will present the same Hadith to you. He may just take it to mean the turban only, what answer are you going to give him?

G- There is a narration in Abu-Dawud that a person by the name of Shuraik placed his topi in front of him and read his namaaz

S- Brother! You had initially said that the proofs would only be from the Quraan and Sunnat, now this Shuraik person, is he some prophet? Never. Is he a Sahabi? Never, He is a tab'i or tab'e tab'i, and check up the chapter Abu-Dawud has formulated. Abu-Dawud says that he had nothing to place as a shield in front of him, so he placed his topi as a shield. Therefore, you can neither prove Nabi ρ or any Sahabi τ to have read namaaz without a topi. **What sort of an**

Ahle Hadith are you, that when it comes to accepting something, you would reject even an authentic, marfoo' Hadith, because its against your ruling, and when it is conforming to your ruling, you would go around with the word of a tab'i or even tab'e tab'i forcing (people) into acceptance. Nabi ρ was not prepared to reply to the greeting of a person who was bare headed (Mishkat). When he would make masah, he would lift the turban slightly with one hand and make masah with one hand. He did not like to be bare headed for even that amount of time, where he could remove his turban placing it on the side and make masah, and here the ummati (his follower) reads namaaz all the time bare headed. Majority roam in the market place bare headed and thereafter call themselves Ahle Hadith. Everyone besides them are murtads (renegades) and open sinners. How then would Nabi ρ like such a person?

G- The namaaz of a person, who intentionally reads namaaz without a topi, is it not done? Or is there something wrong with this?

S- Respected brother! I will answer your 2nd question first, is there something wrong with this? Definitely there is something wrong with it, because you would be imitating the Christians. **You may have seen the Christians praying, all of them pray bare headed.** When there is no clear proof in any authentic Hadith to read namaaz bare headed, then too there is still something definitely wrong with this. This can be found in Fatawa Ulama-e-Hadith, where it said to be makrooh. Now to answer the 1st part of your question, whether the namaaz is done or not, if a person reads namaaz bare headed due to being compelled to do so, for example he does not have sufficient clothing, or he has some illness, then his namaaz will be done, and if **he is reading bare-headed due to laziness, then he would imitating the Jews. It is mentioned of the Jews in the Quraan, 'when they stand for salah, they stand lazily'.**

G- Have our Ahle Hadith Ulama written anything in this regard?

S- Brother! At hand I do have Fatawa Ulama-e-Hadith, which I could show you. Here it is, I have in my hand *vol. 4* of Fatawa Ulama-e-

Hadith, it is stated, 'due to prejudice, apathy or as a fashion symbol one does this,

1. Then this is incorrect Nabi ρ had not done this. (pg 281)
2. I have not come across any authentic, marfoo' Hadith which proves the permissibility of such an action. (pg 287 vol. 4 Fatawa ulama-e-Hadith)
3. It being Sunnat or mustahab is not apparent (pg 287. vol.2 Fatawa Ulama-e-Hadith)
4. Hadhrat Umar τ has said, "When Allaah has given ease, then we should exercise ease in salah also." (pg 287 vol.4 Fatawa Ulama-e-Hadith)
5. In short, it is not proven from any Hadith to make it a habit and read namaaz bare headed without a valid excuse. Just as a bad habit or evil way or laziness, this custom is spreading, and some ignorant people even think it to be a Sunnat. May Allaah protect us. (pg 288 vol. 4 Fatawa Ulama-e-Hadith)
6. To read namaaz bare headed when clothing is available, is either due to stubbornness or lack of intelligence. (Ibid)
7. This matter has more to do with intelligence and insight, if this delicate matter (the brain) is not deprived of sound health, and then too it would be makrooh to read namaaz bare headed. (pg 289 vol.4 Fatawa Ulama-e-Hadith)
8. Leaving aside the early days of Islaam, when clothing was scarce, this humble slave has not come across any narration which clearly mentions that Nabi ρ or the Sahaba τ had read namaaz bare headed, forget making it a normal practice. That is why; this evil custom which is spreading should be stopped. (pg291 vol. 4 Fatawa Ulama-e-Hadith)
9. If one considers it an act of worship, or a means of concentration and devotion, or (does it) with the notion of being humble, then this will amount to imitating the Christians. (pg 291 vol.4 Fatawa Ulama-e-Hadith)

10. In Islaam to remain bare headed is not a form of worship or sign of concentration and devotion, accept while in ihram. If it is out of apathy or laziness, this is imitating the characteristic of the hypocrites. (Allaah says), 'and they do not come for salah, accept lazily'. In short, it is not an appropriate act under all circumstances. (pg 291 vol.4 Fatawa Ulama-e-Hadith) Well, that is ten in total.

Look brother! I have quoted ten places for you.
From the above, take note of text no.5, Your Ulama say, those who take it to be a Sunnat, are ignorant.
Text no.6, they say, to read namaaz bare headed, is stubbornness and a lack of intelligence.
Text no.7 proves, that to read namaaz bare headed is makrooh
Text no.8 proves, to read namaaz bare headed is a bad habit which is spreading and it needs to be stopped.
Text no.9 proves, it is an act in imitation of the Christians.
Text no.10 proves, it is an act in imitation of the hypocrites.
Text no.3 proves, to read namaaz bare headed is neither Sunnat, nor mustahab. We have also shown you the text of your Ulama who say that it is not proven that Nabi ρ read namaaz bare headed.
When reading namaaz bare headed resembles the Christians or Hypocrites and was not the practice of Nabi ρ, why then, do you still do this? Either desist from reading namaaz bare-headed or be prepared to make one of the above titles the crown of your head!

G- We do not believe in these Fatawa Shataria, we only believe in Quraan and Hadith. These Fatawa Shataria are not credible in our opinion. The Quraan and Hadith are sufficient.

S- My brother! Had the Quraan and Hadith been sufficient for every lay man without any teacher, why would your Ulama then write these books? What need was there for them to write these books, when the Quraan and Hadith are available? Are the Quraan and Hadith incomplete?
G- Our Ulama have written no Fatawa, practice on the Quraan and Hadith only.

S- Brother! Your Ulama have written Fatawa Ulama-e-Hadith, which is in front of you. They have even written Fatawa Ahle Hadith, Fatawa Sattaria, Fatawa Thanaaia, Fatawa Barakaatia, Fatawa Nazheeria etc. In fact, there are Fatawa of various Ulama in this Fatawa Ulama-e-Hadith.

G- Fatawa Ulama-e-Hadith is no credible, supported book in our opinion.

S- Dear! This is just an excuse to save your back. Fatawa Ulama-e-hadith is supported and credible (in your opinion). I am able to show you the praises sung by your Ulama, out of joy, at the time of it going to print.

1. At the beginning of vol.3 pg16 the text reads, 'whatever has been presented has been presented in the light of Quraan and Hadith.'
2. 'Saeedi Saheb is a well researched, pious and educated person of our group. By remaining in seclusion, he has presented the teachings of the Quraan and Hadith in a beautiful manner to the public, thus lifting a burden of them.' (Fatawa Ulama-e-Hadith vol.3 pg16)
3. 'He, in answering the questions, has given proofs directly from the Quraan and Hadith.' (Ibid)
4. 'More than enough, well arranged, worthy of congratulations' (Ibid)
5. 'We encourage all Ahle Hadith readers to take benefit from it' (Ibid pg17)
6. 'It proves to be a guiding light for the general public' (Ibid)
7. 'We should seek for the forgiveness of these Ulama. (Ibid pg11)
8. 'Has presented the rulings without any changes' (Ibid pg12)
9. 'Ihsan Ali Zaheeri Saheb extends his congratulations' (Ibid)

10. For every library to have such books is absolutely necessary' (Ibid pg17)

This makes ten in total.

Keep reading and looking at the above references and tell me, after all these supportive words, Fatawa Ulama-e-Hadith is still not credible and supported? A book praised so extensively by Ghair MuqalliDeen, how is it still not credible to you?
After all these references, if you go on reading namaaz bare headed, at the least, you cannot be included amongst those who are called Ahle Hadith.

If you do not want to be mine, then do not be. At least be yours!

G- You have really worried me.

S- Brother! In the face of proofs and research, you should bow your head, even though it maybe contrary to your way. If your worry is due to acknowledging your error of having read namaaz bare headed, then such worry and regret is welcome, and if it is due to your proofs being broken, then this is a grave mistake.

Standing, with the legs spread apart (in salah)

G- You had objected to my standing with my legs spread apart.

S- I had only objected to find out the correct ruling, because you were the one who said I should open my heart and speak. My brother! The manner in which you stood for salah, your sleeves rolled up, neck strutted haughtily, legs spread apart, folding your hands on your chest, taking your chest out and bare headed. Honestly speaking, tell me, will any non Muslim looking at you worship take an effect, that here is a slave before his master, or (does it look like) a wrestler who has come into the ring preparing to wrestle?

Brother! Instead of being prejudice, would you kindly think and ponder, is that the manner in which a slave should stand before his master? I think that you would also agree that no noble child would like to stand before his father in this manner, nor would any disciple stand before his spiritual guide in this manner, why then would anyone choose to stand before his Rabb in such a manner?

Once again, I ask you to be just and tell me, if a Sunni has to stand on one end in salah, and a Ghair muqallid on the other end, who appears more obedient?

G- How far should one spread his feet?

S- This is a question to you, that how far apart should the feet be, two feet, three feet, and this width should be shown from the Hadith.

G- The words two feet or three feet are not mentioned in the Hadith, but we have heard this much, that the feet should be spread enough for the shoulders to be aligned.

S- **If you would show me an authentic Hadith, which translate thus, that the feet should be spread enough for the shoulders to be aligned, then I will also practice on this.**

G- Is there no Hadith?

S- Of course, there is not!

G- We have also heard that a person should spread his feet enough for him to stand comfortably.

S- This is also not proven from the Hadith.

G- My! You are asking for a Hadith for everything. Where should I bring so many Ahadith from?

S- This is because; it is your claim that you do not go beyond the Quraan and Hadith. First you make big claims that every ruling of ours is taken from Quraan and Hadith only. Now you ask where I should bring so many Ahadith from. This means that, your very claim is incorrect.
G- I am able to show you many Ahadith in which NabiT himself has commanded us to join at the shoulders and the ankles.

S- My beloved brother! When you do show me the Ahadith, we would gladly practice on them. Our practicing on Ahadith is our victory and not our loss, because, to accept the truth is always victory, and never loss.
G- Do you have (a copy of) Bukhari Shareef with you?

S- Yes I do. Are you okay?

G- Bukhari has the (Hadith with the) command of joining at the ankles, I will soon clarify the matter.

S- Brother! You better stick to your word and show me the command of Nabi ρ, fine, I will let you off on that, if Nabi ρ himself joined at the shoulder or at the ankle, this too will be taken by us with great respect.

G- Bring the Bukhari quickly.

S- Dear, here we are, this is Bukhari.

G- Look this is **Bukhari** ***pg100 vol.1.*** Imam Bukhari establishes the chapter on joining at the feet and at the ankles. He begins the Hadith which reads, 'Numan says'

S- Dear, this narration has no chain of narrators.

G- The next Hadith has a chain though.

S- But, there is neither any direct command of Nabi ρ, nor his practice. What makes things more exciting, is the Arabic word for

ankle is, ‘k’ab’, would you kindly show me the word ‘k’ab’ in Bukhari shareef.

G- The word ‘k’ab’ is not there.

S- My brother! Bukhari shareef is now in front of you. Imam Bukhari knew thousands of Ahadith by heart, had he come across an authentic Hadith with a chain of narrators regarding joining at the ankles’ he would have certainly included it in his book. The chapter which you have shown me, does not prove that Nabi ρ commanded us to join at the ankles nor do we find it to have been his practice.

G- Okay it may not be in Bukhari, but it most definitely is in Abu-Dawud and in Muatta Imam Malik.

S- Brother! It doesn’t matter; let us look in Abu-Dawud shareef and other books. Here we go, this is **Abu-Dawud** ***pg97 vol.1*** the entire chapter is found here.

It has a narration of Ibn Umar τ, he says, ‘do not leave gaps in between for shaytan.’

In the 2nd narration it is said, that Nabi ρ would come to our saffs (rows) and straighten our saffs by placing his hand on our shoulders and chests, aligning them.

In the 3rd narration it said ‘stand close to one another and align the necks.’

In the 4th narration it is said ‘align the shoulders.’

In these narrations, we find with the words, ‘a’naq’ and ‘manakib’, the word ‘haazhoo’ the meaning of which is, to keep in line. No person takes ‘mahazhat’ to mean stick/join.

If you translate ‘haazhoo bainal manakib’ as, join shoulder to shoulder, then you would have to translate the words ‘haazhoo bainal a’naq’ in narration 3 as, join neck to neck. In that case, no ghair muqallid practices on this. Where you join shoulders, you should also join necks. Could you perhaps stand up and join neck to neck and show me (how its done).

G- Look, the word ankle is also found in Abu-Dawud. Numan Ibn Basheer says, ‘I had seen someone join his shoulder, ankle, and knee to the person standing beside him.

S- Okay, let us see how this is done practice on joining these four things, and show us.

G- Which four things? Standing neck to neck, shoulder to shoulder, knee to knee and ankle to ankle? These four could never be joined.

S- My dear! Today at Zuhr in your Masjid, you should look amongst the congregation, and see if you can find anyone joining these four things. You people say this, but practice only (on the narration which mentions the word) shoulders, you do not join at the neck, neither the knee, neither the ankle. **You (also) only join at the small toe, for which there is no Hadith (as proof).**

G- When it is not possible to practice on these four things, why then has the Rasool of Allaah ρ given us the command? Did Nabi ρ not have the knowledge, that this cannot be practiced upon, yet he still gave the command to do so? After all, Allaah forbid, was the understanding of Nabi ρ lesser than yours?

S- Brother! Nabi ρ would never command the Ummat to do something which is impossible to do. Well, the meanings which you have understood from these Ahadith, are incorrect, therefore you are having difficulty practicing upon them**. How can, that which is impossible to put into practice, ever be the command of the master?** Nabi ρ was always concerned about that which would be easy for the Ummat. Sometimes he would say, ‘if it were not for the fear that it would be difficult on you, I would have commanded you to use the miswaak for every salah, and I would have commanded you to delay the Esha salah. In short, Rasulullaah ρ would never give a command, which the Ummat cannot possibly practice on.

G- Is your objective this, that I have not understood the meaning of the Hadith?

S- Yes, you have certainly misunderstood the Hadith.

G- So, what else could the meaning of joining the shoulder, neck, knee and ankle be? Could you perhaps explain this to me?

S- Now you have mentioned what you ought to. Firstly we would take Bukhari, **Ibn Hajar Asqalani has written the most comprehensive commentary on it. He says, 'the meaning of this is just to emphasize straightening of the saff, and filling the gaps in between.'**

G- Ibn Hajar was a Shaafi, and we are ghair muqallid, how could his words be proof for us?

S- Whose words are proof for you then?

G- Whatever interpretation the Ahle Hadith Ulama make of it, is what I would accept.

S- This is what you call *taqleed*. You ran from *taqleed,* so that you do not have to practice *taqleed*. Have you not now jammed yourself right in *taqleed*?

G- Today your *taqleed* band/rope will also be broken by me. We will discuss this too.

S- Insha Allaah we will (discuss it).

G- Nevertheless, as far as the meaning that the Ulama of Ahle Hadith have taken
regarding joining the neck, shoulders, knees and ankles, could you show me the volume. It seems you have no book which the Ulama of Ahle Hadith have written regarding this matter.
S- Brother! The promise which I have made, I will definitely fulfill. I will show you the explanations given by the Ahle Hadith Ulama, but the question is, will you accept?

G- Why should I not accept? They only talk about that which is in the Quraan and Hadith.

S- This is Fatawa Ulama-e-Hadith in my hand. I will show you the complete text. Check up vol.3 pg.20/21

'All that remains (to be explained) is, by (the word) ankles, are the ankles, proper, meant or just the foot? The correct intent seems to be the foot, because the ankles cannot join unless the foot is bent, therefore one has to stand bending his feet. This (bending of the feet) has many deficiencies:

1. To stand in this position for long is difficult,
2. The toes do not face the qiblah,
3. One will have to keep moving, which results in lack of concentration,
4. There are many similar deficiencies.
5. That is why the foot is meant and not the ankle. Some people spread the legs and stand due to which the shoulders do not meet, this is incorrect.'

G- Okay, this is an affirmed book of ours, in support of which you have already shown me much. Besides this, have any other Ahle Hadith Ulama said anything regarding this?

S- Yes, I will show you that also. Here is the book Salaatun Nabi ρ , written by Moulana Khalid Gujraati at hand. He writes on pg.150 of this book,

'Some people take the inconvenience of trying to join the ankles, so much so, that the very feature of the foot is changed, and the feet, instead of remaining straight, gets narrowed to the front, and spread apart at the back. This is also incorrect.

The words of the Hadith are 'Ankle to ankle, shoulder to shoulder' all that is meant by this is that, the saff should be straightened by aligning the shoulders and the ankles. Here, the Arabic alphabet 'baa' is used to imply straightening and not joining, or else it would

have been incumbent, that just as we take the inconvenience of joining at the ankles, we should join at the shoulder, where as it is impossible to join at the shoulders. Here, the meaning implied is that the saff should be straightened and the shoulders and ankles should be aligned.'

This text of Gujraati sahib proves the following;

1) To join at the ankles is inconvenient,

2) The feature of the foot is spoilt;

3) The feet are narrowed at the front and spread at the back;

4) The (general) Ahle Hadith has not understood the Hadith correctly;

5) The objective of the Hadith is, that the saff is kept straight;

6) The object of the Hadith is, that the shoulders and ankles are in line;

7) Here the alphabet 'baa' implies straightening;

8) Here the alphabet 'baa' does not imply joining;

9) The shoulders can never join;

10) All the Ahle Hadith who join at the ankles, are changing the feature of their feet.

That is ten in total.

G- Is there any other book besides this (which also discusses this subject matter?)

S- Yes! There is the book of Khwajah Muhammed Qassim Gujranwala, who is a ghair muqallid, titled 'Qad qaamatis-salah' I may quote from it also and put you at ease. Khwajah sahib says,

"Some people spread their legs more than necessary, with the result that the ankles meet, but the shoulders do not" (pg.137)
"In the narration which mentions joining the ankles, there is a narrator, Zakaria bin Abi Zaaidah, who is a mudallis (one who hides the name of his teacher) and (he) uses the (arabic) word 'un' (from) when narrating." (pg.136)
Now, your own Ulama are not willing to accept the narration mentioning the ankles as authentic, what is your decision?

G- My decision is the same as my Ulama. Verily they are more knowledgeable than me and they do not lie. Why should I not accept what they say?

S- Is this not *taqleed*?

Taqleed (following an Imam)

G- Taqleed is what you do, and this is shirk (ascribing partners with Allaah). Every Muslim should abstain from shirk, for a mushrik will not enter Jannah (paradise).

S- My dear! Firstly define shirk, thereafter show me where does taqleed fit in the definition of shirk.

G- The definition of shirk is, to ascribe anything as a partner to Allaah, be it in His being, attributes or knowledge.

S- Brother! Now define taqleed.

G- To accept the word of an Ummati without any proof. This is the definition of taqleed.

S- Which Hadith have you, extracted this definition of taqleed from?

G- I have not extracted it from the Hadith, neither is it found in the Hadith. This is just what I have heard from the Ulama.
S- Did you verify this definition, or you just accepted it?

G- When the Ulama lecture or give a talk, where does anybody stand up during the talk and ask for a Hadith for everything they mention? What they say, is just accepted as is.

S- When you heard the definition of taqleed, and accepted it, trusting your Ulama, without having seen it in any book (personally), then this is precisely what taqleed is. You have made taqleed of your molwi and we have made taqleed of Imam-e-a'zam Abu Hanifa (R.A). The question that now beckons is, how is taqleed shirk?

G- Could you also give the definition of taqleed?
S- Taqleed is, "To practice shariat with the guidance of an expert in shariat"

G- Your definition is incorrect. Taqleed means to tie a rope/string, and a rope is strung on the neck of an animal.

S- Firstly brother! You passed the verdict of shirk over us, now you call us animals and are not even ashamed of it. Where do you get the meaning of taqleed, to be tying a rope/string?

G- The word taqleed is derived from the word 'qilaadah' and the meaning of 'qilaadah' is rope/string, and a rope/string is tied around the neck of an animal.

S- **Qilaadah has two meanings; one is in reference to human beings, i.e. Necklace/collar, while the other is in reference to an animal, i.e. rope/string. We take the meaning in reference to human beings, which is necklace.**

G- So qilaadah also means necklace, in which Hadith could you show me this?

S- When I asked for a Hadith regarding your definition of taqleed, you were immediately shocked. Now, when I say qilaadah means necklace, you want a Hadith. Well, no problem, we shall fulfill even that request of yours. It is mentioned in a Hadith, 'Aa'isha (R.A) borrowed a necklace from Asma (R.A) (Bukhari vol.1 pg.48, pg.532 &

Muslim vol.1 pg. 160). (Here the word qilaadah is also used for necklace)

Here we go; your tall request has been fulfilled. Now I have the right to say that qilaadah means a necklace which adds to the beauty of a person, and enhances ones beauty, and brings a shine to ones beauty.

G- What is the other meaning of qilaadah?

S- ‘To tie a rope’. This meaning would be implied in reference to an animal. When used in reference to humans, it would be necklace. Now each one may choose what he desires. Would you choose the (one used for) animals, or the (one used for) humans? Well, we are humans, so we would opt for the one used for humans.

G- Okay, tell me, when the Quraan and Hadith is present in their complete forms, why then does a need remain to follow any Imam? Is there some sort of requirement that still exists even in the presence of the Quraan and Hadith? You have shunned the Hadith of Rasulullaah ρ and fallen behind some Imam, whose words are not Deen, and will you not be rewarded for following him, neither will you be sinning if you did not follow him. Look, we only follow that Imam, whom we have been commanded to follow by Allaah, which is Rasulullaah (S.A.W). In following him, one will be rewarded and in rejecting him, one will be sinning.

S- My brother! You have now made yet another accusation against us that we have discarded the Hadith of Rasulullaah ρ and we (only) accept fiqh. You have not understood the stand point and objective of the Ahnaaf. Had you understood it, you would never have any objections.

G- So, besides this, what other object do you have? Please explain so that I may understand.

S- Dear! We, the Ahnaaf first look into the Quraan, if we find the ruling there, all praise be to Allaah, if not, we look into the Hadith, if we find it here then fine, if not, we look at consensus, if we do not

find it in consensus also, then only do we apply *(qiyaas)* shar'i analogy to solve the matter. In this way, fiqh takes 4th place. **With us, even if the Hadith is weak, it will be given first choice and preference, not *(qiyaas)* shar'i analogy.**

G- Is the Quraan and the Hadith incomplete or complete without fiqh? If it is complete, what is the need for fiqh which is the compilation of an Ummati (follower)? If it is incomplete, does that then mean that Allaah and his Rasul ρ had left Deen incomplete?

S- I would like to ask you as to where you have got this question from.

G- From the Ulama.

S- Never! This is a question that the munkireen-e-Hadith (those who reject the Hadith) had posed to the Muslims regarding the Hadih of Rasulullaah (S.A.W), is the Quraan incomplete or complete without the Hadith? If the Quraan, which is the word of the Creator and is undoubted and Allaah has made its preservation His personal responsibility, is complete, the Hadith which is the word of creation and could be doubted and Allaah has taken no responsibility for its preservation, why then should the word of the chosen (Rasulullaah (S.A.W)) be accepted and not the Rabb? In the presence of the word of the Creator why the word of the creation should be accepted? In the presence of an undoubted book why the supposed information of an individual should be accepted? In the presence of a protected word why the unprotected Hadith of Rasulullaah (S.A.W), which was compiled hundreds of years after him, be accepted?

G- This question of the munkireen-e-Hadith is incorrect, because the Hadith is not contrary to the Quraan; in fact it is an exposition and explanation of the Quraan.

S- So my dear! Just as the objection of the munkireen-e-Hadith against the Hadith is incorrect, your question against fiqh is also incorrect. Because, Just as the Hadith is an exposition of the Quraan, in exactly the same way fiqh is an exposition and an explanation of

the Quraan and Hadith. When the Quraan is explained in the words of the Nabi ρ , this is termed as Hadith, and when the Quraan or Hadith are explained in the words of an Imam or religious scholar, this is termed as fiqh. Fiqh is not some new, separate entity from the Quraan and Hadith.
G- If fiqh is the explanation of the Quraan and Hadith, every ruling of it should be in conformity to the Hadith. I mean that every minutest aspect of it should be the explanation of either a verse in the Quraan or the Hadith, and then we could accept that okay fiqh is really an exposition of the Quraan and Hadith, but is it such?

S- It is not necessary that every minutest aspect of fiqh will be the precise explanation of the Quraan and Hadith.

G- Then how is it an exposition of the same?

S- You have not understood the very meaning of exposition. You also accept the Hadith to be an exposition of the Quraan, but can you prove every Hadith found in Bukhari, Muslim, Abu-Dawud, Mishkat, Thirmizi, Ibn Majah and Nasai to be from the Quraan?

G- This is very difficult, nay impossible.
S- Therefore in spite of every Hadith not being proven from the Quraan, it is still the explanation of the Quraan. Similarly in spite of every minutest aspect of fiqh not being explicitly proven from the Quraan and Hadith it is still the explanation and exposition of both. An explanation of anything is always more extensive than the thing being explained. For example, someone asks, 'What is the Quraan?' Consider this question, 'What is the Quraan?' The person explaining would explain thus, 'This is a book which was revealed to the chosen Nabi ρ It is a book free of any doubt.' You see the thing being explained is one word 'Quraan', but its explanation is made up of many words simply so that one may understand, and in many instances an example has to be given for further explanation. Now if someone has to ask for every word of the explanation to be shown in that which is being explained, then this would be a sign of him lacking intelligence. Therefore, to ask for every Hadith to be found in the Quraan is also the sign of a lack in intelligence. In exactly the

same way, for someone to ask for every minutest aspect of fiqh to be proven from the Quraan or Hadith is a sign of him seriously lacking in intelligence.

G- Another reason for not accepting fiqh is the differences of opinion in the matters of fiqh. We do not accept fiqh because of the major differences of opinion in the fiqhi rulings.

S- My brother! It seems you have taken the support of theft. This is also a question of the munkireen-e-Hadith. They also said that they do not accept the Hadith because of the difference of opinion regarding Hadith. The Shias say that they do not accept the Sahaba because of the difference of opinion amongst them. The founder of the Paadri said that they do not accept the Quraan because there is a difference of opinion in the manner of its recital, and mister, you say that you do not accept fiqh because of the differences of opinion found therin. So, this is not some new bud (that has sprouted) of yours, but this is the very objection of the Paadris on the Quraan, the Parwez on the Hadith, the Shia on the Sahaba (R.A), and those rejecting fiqh on fiqh. In fact I would like to add that there are differences of opinion regarding the definition of what is termed authentic. Why then do you not discard the authentic Hadith also? When the difference of opinion regarding some matter could be the reason to discard it, then those who reject or discard the Quraan, Hadith and the Sahaba τ should not be rebuked, if you are true, they are also true. (Allaah forgive,) and if their rejecting Quraan, Hadith and the Sahaba τ is incorrect, then definitely your question is also incorrect.

G- Okay, why are there differences of opinion in fiqh then?

S- In reality, there is no difference, only you seem to see differences. Just as there are two types of recital of the Quraan; one repeated and, the other uncommon. The uncommon ones are not termed as Quraan, while the repeated ones are termed as Quraan. The Paadris always make objections on the uncommon recitals of the Quraan, and we keep telling them, 'that which you are objecting to is the uncommon recitals and it is not the Quraan.'

In a similar manner the Ahadith are of two types; authentic and the other fabricated. Both these types are found in the books. The munkireen-e-Hadith picks up the fabricated Ahadith and makes objections against the Muslims, so we answer them thus, 'make an objection on an authentic Hadith. That which you are making an objection on, is not the saying of Nabi ρ ' To present a fabricated Hadith against an authentic Hadith or due to lack of knowledge regarding an abrogated Hadith and the Hadith that replaced it, to then say that there is a difference or conflict between two sayings of Nabi ρ would be incorrect.

In a similar way the Hanafi fiqh is of two types; one being the *(mufta bee he)* ruling accepted by the jurists and the other being (*ghair mufta bee he)* the ruling not accepted by the jurists. The accepted ruling is called the Hanafi fiqh and there is no difference or conflict in these rulings. This apparent conflict is what the Paaris see in the Quraan and the munkireen-e-Hadith see in the Ahadith and you are seeing it in fiqh.

G- Today is the first time I am hearing that in fiqh you have an accepted ruling and a non accepted ruling. The truth is I do not even know what these mean. Do the words *mufta bee he* and *ghair mufta bee he* appear alongside every verdict?

S- The words *mufta bee he* are derived from the word *fata* which means firm, strong youngster. Therefore, the meaning of a *mufta bee he* verdict would be firm points or solid points. *Ghair mufta bee he* means un-firm (unsubstantiated) points. My friend! You are always making objections on un-firm points and you keep tagging on them. This Allaah has also mentioned, that His speech is of two types, *muhkamaat* (those verses the meanings of which are understood to us) and *mutashaabihaat* (those verses the meanings of which Allaah has kept to Himself and a select few whom He wishes).Allaah has ordered us to adhere to the *muhkamaat* and not delve in the *mutashaabihaat*. Allaah goes on to say that only those whose hearts are crooked (corrupt) will delve into them. My brother, you found only the uncommon and unaccepted verdicts to object on, which we

ourselves do not even accept as the Hanafi fiqh? Why do you not object on what really is the Hanafi fiqh and then see?

G- You are answering half my question. I am asking; do you find *mufta bee he* or *ghair mufta bee he* written alongside every fiqhi ruling?

S- Just as in the Quraan you would not find a note with each verse saying that this is a verse from the *muhkamaat* or the *mutashaabihaat* and with each Hadith you would not find a note saying this is an authentic or a fabricated Hadith, similarly you would not find a note with every ruling in fiqh that this is the *mufta bee he* or the *ghair mufta bee he* verdict. Nevertheless, this is decided by the scholars. Likewise the decision of whether a verdict is *mufta bee he* or *ghair mufta bee he* is that of the experts in fiqh.

G- How do we find out if a Hadith is authentic or fabricated, abrogated or not?
S- Just as you would not find a notice on every note, that this R100 note is no longer in circulation, the sign of it would be that you will not find it being used in the market place. In the same way the sign of an abrogated Hadith would be found (by looking at the) era of the Khulafaa-e-RashiDeen. If we find that a Hadith was practiced on in the best of eras, we would know that this Hadith is authentic and we may practice on it, and if we find that a Hadith was not practiced upon in this era, we would understand that this is an abrogated Hadith.

G- Okay tell me, why are you called Hanafi and not Muhammedi? So, are you a Hanafi or a Muhammedi?

S- Today you have mimicked the wahaabis and said good-bye to your brain!

G- How is that?

S- Your question is like my asking you whether it is Saturday or January; or is it Wednesday or February? Any intelligent person would be astounded, for if there were any conflict (in meaning) between January and Saturday, only then would this question be

sensible. When today can be the Saturday and also be January then there is no difference between the two. Rather, the question should be, is today Saturday or Sunday? Is it the month of January or that of February? A day will oppose another day, and a month would oppose another month. I can also ask you questions like yours. Are you a ghair muqallid or a human? Are you an Ahle Hadith or a human? Are you Pakistani or Panjaabi? Just as these questions are incorrect in your opinion, the question of being a Muhammedi or Hanafi is incorrect. Should your question be correct, would you kindly answer the above three questions of mine? The answer to such questions would just be swearing.

Now listen, if someone asks as to why you are referred to as Panjaabi or Laahori and not Pakistani, you would say we are referred to as Pakistanis when compared to those living in countries outside Pakistan and as Panjaabis when compared to those living in Sindh or Baluchistan. In the same way when a non-Muslim asks who you are, you would say you are a Muslim and Muhammedi. This means that the words Muslim and Muhammedi are used when compared to non-Muslims, and Hanafi is used when compared with Shafis, Maalikis, etc. You do accept that being called a Panjaabi does not negate being a Pakistani, nor does being an Ahle Hadith negate being a human, why would being a Hanafi negate being a Muhammedi?

G- Should we accept that which the Nabi ρ says, or that which an Ummati says?

S- When that which the Ummati says is contrary to that which the Nabi says, then, only that which the Nabi says would be accepted. When that which the Ummati says does not contradict what the Nabi says, but only appears to be contrary, then, you yourself may specify the cure for that. The explanation of this has been given by Shah Waliullah (R.A) in the following words;

We do not follow the Imams except for the fact that they are more knowledgeable than us as regards the book of Allaah and the teachings of His Rasul. (Hujjatullahil-baaligah)

The munkireen-e-Hadith also ask if one should accept that which the Creator says or that which the creation says? The person answering will definitely say that one should accept that which the Creator says. As soon as he says this, the munkir-e-Hadith will say, Bukhari, Muslim, Abu-Dawud, Tirmizi, ibn-Majah, Nasai are all the works of the slave and the only book of the master is the Quraan, one has to accept it only and practice on it, not on the books of the slaves. My brother, you have now adopted the way and manner of the munkireen-e-Hadith. They confused matters by saying Creator and creation and made the people discard the Hadith of Rasulullaah (S.A.W). You are confusing matters by saying Nabi and Ummati in an effort to make people discard the fiqh of the fuqaha. This is also a question you have stolen from them. You call yourself Ahle Hadith and they call themselves Ahle Quraan.

G- One should follow only and only Nabi ρ, not an Ummati, whereas you accept the fiqh of Imam Abu Hanifa (R.A).

S- We follow and obey only Nabi ρ but with guidance of Imam A'zam Abu Hanifa (R.A)

G- What guidance would that be? Without the guidance of an Imam can one not follow the Rasul of Allaah?

S- No, one cannot. Look, an example of this is salah in congregation where one person is the Imam and the rest are congregation (muqtadis). The Imam says the takbir-e-tahrimah; the congregation also says it, but only after him and in following him. The tahrimah of both the Imam and the congregation is for the sake of Allaah. The Imam stands, the congregation also stands, both are standing for the sake Allaah, but the congregations' standing is in following the Imam. The Imam bows down; the congregation also bows down, both bow for the sake of Allaah, but the bowing of the congregation is in following the Imam. The Imam prostrates, the congregation also prostrates, both prostrate for the sake of Allaah, but the congregation prostrate after the Imam and in following him. When the Imam lifts his head after bowing or prostrating, so do the congregation, but

only after the Imam and in following him. Similar is the case of the sitting posture.

In short in congregational salah, the Imam fulfills all the various postures and so does the congregation, but every move of the congregation is after the Imam and never ahead of him. If the congregation moves ahead of the Imam, then according to the Hadith, they will be turned into donkeys. Now if some non-Muslim has to say;

The Imams' tahrimah is for (the pleasure) Allaah, and the congregations' is for the (pleasure of the) Imam;

The Imams' standing is for Allaah, and the congregations' is for the Imam;

The Imams' bowing is for Allaah, and the congregations' is for the Imam;

The Imams' prostrating is for Allaah' and the congregations' is for the Imam;

The Imams' standing between postures and sitting between postures is for Allaah, and the congregations' is for the Imam;

The Imams' sitting is for Allaah, and the congregations' is for the Imam;

The Imams' salaam is for Allaah, and the congregations' is for the Imam.

So, to say that the Imam does everything for Allaah while the congregation does everything for the Imam is certainly incorrect.

This suspicion came to the mind of the non-Muslim due to him seeing that the congregation is following the Imam. (He thought) these people are following the Imam in every action, perhaps they are worshipping him, whereas these poor souls are also worshipping Allaah, but just by following the Imam. We the Hanafis also follow Muhammed ρ but with the guidance of an Imam, due to which the ghair muqalliden have accused us of accepting that which Imam a'zam Abu Hanifa (R.A) says and not that which Nabi ρ says. They accuse us because of being mistaken like the non-Muslim or out of sheer ignorance.

We accept the Sunnat of Rasulullaah ρ, but as guided to us by the Imam.
We accept the Shariah of Rasulullaah (S.A.W), but with the guidance and in following the Imam.
We adopt the method of performing salah of Rasulullaah (S.A.W), but with the guidance of the Imam.

G- Then too the Imam has come in between. You have not accepted that which Nabi ρ sincerely.

S- My dear brother! Whenever a Hadith has reached us it has been via the ummat.

G- I take everything direct from Nabi ρ I do not know what this Ummat "shummat"(additional no meaning word) is all about.

S- This means that you are claiming to be from amongst the Sahaba (R.A).

G- I am not claiming to be a Sahabi; I was born 1400 years after Nabi ρ

S- When you have come 1400 years after Nabi ρ, who has then conveyed the sayings of Nabi ρ to you?

G- The Muhadditheen.

S- The Muhadditheen were also from amongst the Ummat. What types of Nabi were the Muhadditheen? The conversation has revolved and come back to the very same Ummat "shummat", but Bukhari Shareef or any other book of Hadith for that matter has a chain of narrators before every Hadith. This long list of names is called a sanad and every person in this sanad is an Ummati. You have got to make the Ummati a link to get to the Hadith of Rasulullaah (S.A.W).
G- Why do you accept the rulings of Imam Abu Hanifa (R.A) and not the other aimmah (Imams)?

S- Had we accepted the rulings of any other Imam also, you would have called it shirk, because taqleed is shirk in your opinion.

G- You should accept all four Imams. Why do you accept only Imam Abu Hanifa (R.A)?

S- If the taqleed of just Imam Abu Hanifa (R.A) is shirk, then the taqleed of all four Imams would be a greater form of shirk. In fact this would be shirk multiplied four times. Trying to pull me out of shirk, you have involved me in a greater form of shirk. When bowing down to one idol is haraam, how does bowing down to four idols become touheed? Wow! **Your philosophy is this; to follow one Imam is shirk and to follow four is touheed!**

G- Why do you give preference to the rulings of Imam Abu Hanifa (R.A)?

S- My brother. This is because the era of Abu Hanifa (R.A) in comparison to the eras of the other Imams, **is closer to that of Nabi ρ.** As far as the eras are concerned, Nabi ρ has said that the best of eras is mine, then the era after mine, then the era after that. In this way the closest era is that of Imam Sahib, therefore we give him preference.

G- Why do you not follow the Sahaba (R.A)?

S- If taqleed itself is shirk then taqleed of the Sahaba τ is also shirk. How could the taqleed of Imam Sahib be shirk and that of the Sahaba τ be touheed?

G- Why do you not give preference to the books of Sahaba τ regarding the rulings (of Islaam?)

S- There is no such book of the Sahaba τ in which the rulings regarding salah, fasting, zakaat or hajj are all compiled. This Hanafi fiqh is actually a collection of the various rulings of the Sahaba (R.A).

This fiqh has collected the flowers that were spread all over and presented as a bouquet to the ummat.

G- When your fiqh has the Quraan, Hadith and sayings of the Sahaba τ in it, why do you then call it Hanafi fiqh?

S- Just as a narration that is found in Bukhari is referred to as a Hadith of Bukhari. Whereas in reality it is the Hadith of Nabi ρ The meaning of this is that we have received this Hadith via Imam Bukhari (R.A). This is the Hadith of Muslim. Whereas it is the Hadith of Nabi ρ. Saying that the Hadith is Muslims', means that it reached us via Imam Muslim (R.A). In the very same way to say that this is Hanafi fiqh means, that undoubtedly these are the rulings of the Sahaba (R.A), **but they have reached us via Imam Abu Hanifa (R.A).**

G- Why do you divert your link from Nabi ρ and attribute it to Imam Abu Hanifa (R.A)? In the presence of the biological father to attribute your link to someone else is such a big crime. Nabi ρ is the spiritual father yet you call yourself Hanafi instead Muhammedi. The Christians are then better than you, because they make their reference to their Nabi.

S- You do not even love the word Muhammedi as much as you hate the word Hanafi. You are also not called Muhmmedi. Sometimes you are called Ahle Hadith, sometimes salafi, sometimes athari. Who ever does call you Muhammedi? Like a Worthless person sitting and considering himself to be some big police officer in his heart! We have never heard anyone ever call you Muhammedi. What we have heard you being called is wahaabi, salafi, najdi, athari, ghair muqallid etc.

G- Ahle Hadith is our descriptive name, could we not be called that?

S- Is Hanafi not our descriptive name? Could we not be called that? I could also say that the Christians are better than you, because they are called Christians whilst you are called salafi or athari. I would

say the Sikh is better than you, because all of them have beards while some of your ulama had beards the length of a barley seed, yet they were senior ulama. Many were considered mountains of knowledge and leaders of your sect. Even your beard is lesser than the Sunnat length.

G- Cutting or trimming the beard was the personal affair of those ulama and it is also my personal affair.

S- Would there be no blame/seizure for personal affairs? How could you absolve yourself by saying it is a personal affair? In that case, was not the claim of being Rabb almighty the personal affair of Pharaoh? A person drinks alcohol, commits adultery, gambles, cuts or trims his beard, steals, does not perform his salah or discards the fast, and then says it is his personal affair, will such a person just be left? Will, the excuse presented before us be acceptable in the court of Allaah? To call someone a Christian or Jew because of the raging fire of hatred and jealousy (in the heart) is very easy and the normal habit of many amongst you. You people keep giving these titles to others. We can also do the same, but it is inappropriate. One has to ponder things with a level head and ask Allaah for ability to carry out good deeds.

G- Is it incorrect to be called Ahle Hadith?

S- Is it incorrect to be called Ahle Sunnat?

G- Ahle Sunnat and Ahle Hadith are both one and the same thing. You cannot separate them.

S- My dear, you cannot make them one thing. There is a difference as vast as the east is from the west between the two. Nabi ρ had given us the name Ahlus Sunnah Wal Jamaat and not Ahle Hadith nor did he name us salafi or athari. If Nabi ρ has not commanded us to be called Hanafi, when has he commanded (anyone) to be called salafi, najdi, athari, wahaabi or Ahle Hadith?

G- Nabi ρ himself having mentioned the words Ahlus Sunnah wal Jamaat, where do you get this from?

S- Let me check up the kitaab and show it to you. Here we are, this is the commentary (of the Quraan) titled Durre-Manthoor. Under the verse; 'on that day when faces of some will be radiant…….' It is mentioned that Nabi ρ said, 'Those whose faces will be radiant refers to the ahlus Sunnah wal Jamaat.' There is a similar narration in the commentary of Ibn Katheer.

G- The words Ahle Hadith are also found in many books. The commentators of Hadith sometimes say, 'this is what the Ahle Hadith mention,' these types of phrases are found in abundance. From this we may understand that (the title) Ahle Hadith is found from the era of Nabi ρ so how could one say that this is incorrect?

S- You have stumbled or been made to stumble. The word muarrikheen has been used for historians in the books, and the word mufassireen for commentators (of the Quraan). In a similar way the word muhadditheen has been used for the people (commentators) of Hadith, and not for the ghair muqalliDeen. **Would you be able to show me the words Ahle Hadith used in reference to a person that rejects fiqh, in any Hadith or the commentary of any Hadith?** Now if someone has to start a new sect and call it Ahle Tafseer because these words are found in the books, this is incorrect. Or a 2nd person calls himself Ahle Taareekh because these words are found in the books, this is incorrect. Or a 3rd person calls himself Ahle Quraan because our name is found in Thirmizi shareef, this is incorrect. In the same way for those who reject fiqh to say that we are the Ahle Hadith because these words are found in the books is also incorrect. Look, the Parwezis who rejected the Hadith used to call themselves Ahle Quraan and present the following as proof, that in Thirmizi under the chapter of witr there is a Hadith wherin Nabi ρ mentions, 'O people of the Quraan perform the witr (salah)'. Those rejecting the Hadith say that this refers to them.

We have exhausted ourselves trying to look everywhere for someone, prior to the English ruling (over the sub-continent), being

referred to as the Ahle Quraan, or for a group existing anywhere in the world, who reject the Hadith to be called Ahle Quraan. They had also made the same claim that the Ahle Quraan are in existence since the existence of the Quraan. Therefore, if the Quraan is true the Ahle Quraan are also true. Now you are shouting the same slogan that the Ahle Hadith are in existence since the time of Nabi ρ. Ever since the Hadith existed, the Ahle Hadith existed. Therefore, if the Hadith is true the Ahle Hadith are also true, **whereas prior to the English rule there was no group in the world who rejected fiqh to be known as the Ahle Hadith.** Fine, just show me a Hadith wherein those who reject fiqh are called Ahle Hadith.

G- Whether it is Ahle Hadith or Ahlus Sunnah Wal Jamaat, they are both one and the same thing. How many times should I tell you?

S- You have erred or have been caused to err;
A Hadith can be sahih, daeef, hasan, mursal, mudal, munqat'i, marf'oo, mouqoof, maqt'oo, besides these, there are many other categories. I am not sure which one do you accept, sahih Ahle Hadith or daeef Ahle Hadith, mursal Ahle Hadith or hasan Ahle Hadith, mouqoof Ahle Hadith or maqt'oo?

The Sunnat is never daeef (week/un-substantiated), how could Ahle Hadith and Ahlus Sunnah wal Jamaat be the same, when;

1. The ahlus Sunnah follow an Imam; whilst the present day, customary Ahle Hadith considers following an Imam to be shirk.
2. The Ahlus Sunnah considers three talaaq to be three; whilst the Ghair muqallid, customary Ahle Hadith considers three talaaq to be one only, like the Shia
3. The Ahlus Sunnah honor the saints; whilst the ghair muqallid scholars look for useless faults in the saints.
4. The Ahlus Sunnah consider the Sahaba τ to be a yardstick for the truth; whilst the Ghair muqallid do not consider the Sahaba τ to be a yardstick for the truth.

5. The Ahlus Sunnah consider even the action of a Sahabi τ to be Sunnat; whilst the ghair muqallid call the first azaan of Jumuah to be an Uthmaani innovation.
6. The Ahlus Sunnah lift their hands after salah and supplicate; whilst the Ahle Hadith do not supplicate and refer to supplication as an innovation.
7. The ahlus Sunnah accept fiqh; whilst the Ghair muqallid reject fiqh.
8. The ahlus Sunnah are of the opinion that there is punishment and reward in the grave; whilst the present day ghair muqallid do not hold this opinion.
9. The Ahlus Sunnah are of the opinion that Nabi ρ is alive in his grave; whilst the Ghair muqallid do not hold this opinion.
10. The Ahlus Sunnah do not accept less than twenty rakats taraaweeh; whilst the Ghair muqallid say it is eight rakats.
11. The Ahlus Sunnah say it is an act of reward to visit the mausoleum of Nabi ρ; whilst the Ghair muqallid Ahle Hadith says it it is haraam.
12. The Ahlus Sunnah say that Nabi ρ is able to hear the salutations being sent to him by those alongside his grave; whilst the Ghair muqallid rejects this.
13. The Ahulus Sunnah consider the slaughtering of buffalo to be permissible; whilst the Ghair muqallid considers it haraam.
14. The Ahlus Sunnah say the slaughtering of horse is haraam; whilst the Ghair muqallid says it is halaal.
15. The Ahlus Sunnah say it is not permissible to look into the Quraan while in salah; whilst the Ghair muqallid says it okay to do so.
16. The Ahlus Sunnah say that a woman in the state of janaabt (impurity) may not recite the Quraan; whilst the Ghair muqallid says she may recite the Quraan.

17. The Ahlus Sunnah say that a woman becomes haraam on her husband if he engages in any illicit relationship with his mother in law; whilst the Ghair muqallid says she does not become haraam. (Nauzlul Abraar)

18. The Ahlus sunnah say the mausoleum of Nabi ρ is sanctified place; whilst the Ghair muqallid says it is an innovation and should be broken down. (Urful Jaadi)

19. The Ahlus Sunnah perform the janaazah salah silently; whilst the Ghair muqallid perform it in a raised voice.

20. The Ahlus Sunnah say that a person who joins the Imam in the position of ruku has made the rakat; whilst the Ghair muqallid says he has missed it. (Toudeehul Kalaam)

21. The Ahlus Sunnah leave the hands to the side (of the body) in qauma; whilst the Ghair muqallid Ahle Hadith of Sindh tie it.

22. The Ahlus Sunnah do not practice on the abrogated Ahaadith; whilst the Ghair muqallid consider practicing on it a great form of jihad.

23. The Ahlus Sunnah do not perform any nafal after the Maghrib azaan; whilst the Ghair muqallid who normally is an enemy of nawaafil will make sure he performs nafal at this time.

24. The Ahlus Sunnah stands in salah expressing humility; whilst the Ghair muqallid stands haughtily.

25. The Ahlus Sunnah say there are a few differences in the performance of salah of a woman and a man; whilst the Ghair muqallid says there is no difference.

26. The Ahlus Sunnah say an immature (one who has not reached the age of puberty) may not be appointed as Imam; whilst the Ghair muqallid says he may be appointed as Imam.

27. According to the Ahlus Sunnah surah Faatiha is part of the Quraan; whilst the Ghair muqallid say it is not included in the Quraan.

28. According to the Ahlus Sunnah Tahajjud and Taraaweeh are two separate salahs; whilst according to the Ghair muqallid they are both one salah.

29. According to the Ahlus Sunnah witr is of three rakats; whilst according to the Ghair muqallid it is of one rakat only.

There are many more rulings wherein there are quite a bit of differences between the Ahlus Sunnah and Ghair muqallid. How could the Ahlus Sunnah and Ahle Hadith be one and the same thing? When Hadith and Sunnat cannot be one as it has been previously indicated towards or explicitly proven, how then could Ahle Sunnat and Ahle Hadith be one?

G- Is it permissible to attribute ones link to anyone besides Nabi ρ? Has this been proven from the lives of Sahaba (R.A)?

S- My dear, some Sahaba were known as Alawi and others were known as Uthmaani. (Bukhari pg.433 vol.1) Were it incorrect to be referred to as Hanafi or Shaafi and a link attributed to a non nabi, then those Sahaba τ who attributed their link to Hadhrat Ali (R.A) or Hadhrat Uthmaan (R.A) were also attributing a link to an ummati, what type of Nabi were they, (Hadhrat Ali and Uthmaan (R.A)?) How is that correct then? All I can say is that when you have missed the right path you will continue going astray. All you have is objections against the Hanafis and you keep rubbing shoulders (in conflict with them), together with that if most certainly you are passing judgment on the Sahaba (R.A), so be it. The Sahaba τ would have never chosen a link attributed to Hadhrat Ali (R.A) or Hadhrat Uthmaan (R.A) if it was incorrect to attribute a link (to oneself) other than that of Ahle Hadith or Muhammedi.

G- Is there any need for an Imam other than Nabi ρ?

S- Life is always on the move. New questions/problems keep coming up. Who would you have them solved by?

G- Nabi ρ.

S- Nabi ρ is not present.

G- Imam Sahib is also not present.

S- The fiqh of Imam Sahib is.

G- The Ahaadith of Nabi ρ is present. Which Imam of yours is present to solve your contemporary problems?

S- Our Imam-e-A'zam is Imam Abu Hanifa (R.A).

G- In the end, how is it that the Deen of Nabi ρ suffices for just hundered years while the fiqh of the Imam suffices till the Day of Judgment? Was the Hadith of Nabi ρ only meant for hundred years?

S- My dear, spit your anger out. The Aimaa did not create any new Deen. Nabi ρ had given glad tidings regarding Imam-e-a'zam, who is from the best of eras, that there will soon be a person from Persia who, if imaan had to reach the suraya star, he would bring it from there and present it to the mankind. You would find many (apparent) contradictions in the Ahadith, the reason for this is, at times Nabi ρ would give a certain command (regarding a matter, and) later Nabi ρ would give a different command (regarding the same matter.) Now both are Hadith. One is in vogue while the other is not. How would we, living in the 15th century, decide as to which one is abrogated and which one is not?

Look, the Sahaba τ ate iguana in the presence of Nabi ρ, yet in a narration of Abu- Dawud we find that Nabi ρ has prohibited us from eating it.

The Hadith mentions that eating something cooked on an open fire breaks the wudhu, yet we find the practice of Nabi ρ do be different contrary to this.

Sahaba (R.A)'s drinking alcohol is proven from the Ahadith itself, yet later on we find the prohibition of consuming alcohol found in Ahadith also.

To make masaah of the head once and thrice, are both found (and proven) in the Ahadith.
Nabi ρ used to perform nafal salah after Asr, yet he has also stopped us from performing nafal after Asr.

There are Ahadith which mention gargling and passing water through the nostrils once, and there are also Ahadith which mention that these should be done thrice.

To perform Fajr when the sky is bright (just before the sun rises) is proven from Ahadith, and to perform the same while it is still dark is also proven from Ahadith.

You see, these are all different types of Haadith we find. We are able to present thousands of Ahadith wherein there are (apparent/open) contradictions. Now, these contradictions, as far as which is abrogated and which is not or which was the final practice and which was the initial practice of Nabi ρ can only be solved by one who is an expert in Shariat and at the same time a contemporary of the Sahaba (R.A). We find that Imam Abu Hanifa (R.A) is a Taabi'ee and the leader of the Muslims in his era. We take the solutions to our problems from him. He would remove the contradiction from such narrations and put us on to that which was the final practice (of Nabi ρ. He would never go against the (ruling) of the Ahadith and force his own opinion.
G- How did Imam Sahib know which was the final practice of Nabi ρ?
S- Imam Sahib performed Hajj in his childhood. He would go amongst the Sahaba τ and perform his salah with them. He would understand that which the Sahaba τ had done to be the final practice of Nabi ρ and record it, and those narrations which the people of the best of eras left out practicing on, he would also not practice on

them. For, the beloveds of Nabi ρ would surely practice on a narration that is practicable.

G- How do we know that the practice of the Sahaba τ is the differentiating factor between the abrogated Ahadith from the non-abrogated Ahadith?

S- Nabi ρ has mentioned that there would be lots of differences after me, you should hold firmly onto My Sunnat and the Sunnat of the Khulafa-e-RaashiDeen. When Nabi ρ himself has mentioned, My Sunnat and the Sunnat of the Khulafa-e-RaashiDeen, it is clear that no one has more knowledge as regards the abrogated from the non-abrogated. Therefore, their practice becomes the deciding factor for us in as far as which was the final practice of Nabi ρ, and this was the rule/principle Imam Sahib had made for himself. This is why we take the solutions to our problems from him.

G- Is taqleed necessary for everyone, or just the ignorant?

S- Any person who has not reached the status of (ijtihaad) being able to interpret the Islaamic laws will have to make taqleed or else his work would not get done. (He would not be able to arrive at correct conclusions regarding Deen.)

G- I know many Ahadith, after studying all these Ahadith should I also make taqleed?

S- Do you know Arabic?

G- No, I read the translated books.

S- Well those translations are also the work of some Ummati and relying on their translations amounts to taqleed.

G- Only that person who is not acquainted with the Quraan and Ahadith or does not know the Ahadith regarding matters (of Deen) should make taqleed. To force one who has studied the Quraan and Ahadith into making taqleed is not correct.

S- Following an Imam is such a thing that will save a person from many deviations. **I have already told you that it is waajib, for a person who is unable to interpret the Islaamic laws, to make taqleed.**

G- Those who compiled the Sihah Sitta (six authentic books of Ahadith), were they muqallids or mujtahids?

S- This is a wonderful question. Look, **Imam Bukhari (R.A)** selected certain Ahadith from many hundred thousand Ahadith to compile Bukhari Shareef. He knew many hundred thousand Ahadith by heart, yet he made taqleed of **Imam Shaaf'i (R.A)**. We understand from this that a muhaddith like Imam Bukhari (R.A) even had no choice but to make taqleed of a mujtahid. Imam Bukhari (R.A) would have also been a Ghair muqallid if it were just sufficient to know Ahadith to free oneself from taqleed. Where do you stand………no matter how a great an aalim of the day you may be? You certainly cannot learn more Ahaadith than Imam Bukhari (R.A). **Imam Muslim (R.A)** has listed approximately 4000 Ahaadith which are not repeated (in his compilation). He was also a follower of **Imam Shaaf'i (R.A)**. **Imam Abu-Dawud (R.A)** has also listed close to 4000 Ahaadith in his Sunan of Abu-Dawud. Despite being such a great muhaddith he followed **Imam Ahmed ibn Hammbal. Imam Thirmizi (R.A)** also narrates 4000 Ahaadith in his (book) thirmizi, yet he was also a follower of **Imam Shaaf'i (R.A)**. **Ibn Majah (R.A)** lists 4341 Ahaadith in his book, yet he too was a follower of **Imam Shaaf'i (R.A)**. **Imam Nasai (R.A)** has listed approximately 4000 Ahaadith in the Sunan of Nasai, yet he too was a follower **Imam Shaaf'i (R.A)**. We would have to make another decision if you know more Ahaadith than those who compiled the sahih sitta, but if you know less Ahaadith than them, you have no choice but to make taqleed.

We would like to ask Imam Bukhari (R.A) as to what forced him into making taqleed when he knew so many Ahaadith. We would also like to ask Imam Muslim (R.A) why he chose to make taqleed. Imam Thirmizi (R.A) should also be asked why he took the road of taqleed. We would ask Imam Nasai (R.A) if he was short of any

hadith for him to have also chosen to follow an Imam. We would like to ask Imam Abu-Dawud (R.A) why he went to the door of Imam Ahmed ibn Hammbal (R.A) when he knew so many Ahaadith. We also need to ask Ibn Majah (R.A) what compelled him to make taqleed.

Would you term these illustrious people as ignorant or as mushhriks? (Those who ascribe partners to Allaah) Whatever judgment you wish to pass on them, you may pass on us. When we are mushriks (in your opinion) by making taqleed, how do our predecessors become muwahhid? (A person who believes in the oneness of Allaah). One needs to be conscious and his senses when passing a judgment.

G- Who did Imam Abu Hanifa (R.A), Imam Shaaf'i (R.A), Imam Maalik (R.A), Imam Ahmed ibn Hammbal (R.A) follow? If they were muqallids, how do you make taqleed of a muqallid? And, if they were not muqallids, then they are just like us Ghair muqallids.

S- It's a saying of the wise, 'you need *aqal* to make *naqal*' (you need brains to quote). I do not know where you have heard that the four Imams were Ghair muqallids. Your question is like someone saying, I will not follow any Imam in salah. He may go on singing this song. If we were to ask him why (was he) not following the Imam, he would say that we should first show him who the Imam is following. Or, it is like someone who says that he is not an Ummati of Nabi ρ because Nabi ρ was not the Ummati of anyone, and we should first prove Nabi'sρ being an Ummati then only will he be prepared to be an ummati himself. First prove the Imam to be a muqtadi then only will I be a muqtadi or, I am not willing to be a subject of the king, because the king is not a subject to anybody. I am not a muqallid, because the four Imams are not muqallid. We will affectionately tell a person (who says such things) that the Imam still remains the Imam, the muqtadi will remain the muqtadi, the king cannot be included amongst his subjects, the subjects cannot be the king, the Nabi cannot be an ummati, the mujtahid is a mujtahid, how can he be a muqallid? Only that person who has not reached the status of ijtihaad and is a non-mujtahid will make taqleed. For you to say the

a'imah were muqallids (is incorrect). They were neither muqallids nor Ghair muqallids. **They were mujtahids.** The title of Ghair muqallid does not fit them.

A Ghair muqallid is one who himself cannot make ijtihaad nor does he follow a mujtahid, but rather he swears at the fuqahaa and call the muqalliDeen mushriks. Brother! Sometimes you become upset and say that we should not call you Ghair muqallid but Ahle Hadith and at other times you call the four Imams Ghair muqallid. That title which is a cause for embarrassment to you, could it ever be a matter of pride for the Sahaba (R.A)? Never!

G- This so called Hanafi and Shaaf'i, are they some division/part of Deen?

S- If they are not some part of Islaam, then what, are they some part of kufr? (Allaah forbid) If these are not parts of Islaam, then the Ghurabaa Ahle Hadith, Umaraa Ahle Hadith, Super Ahle Hadith, Muslimeen Ahle hadith, Ulama-e-Ahle Hadith, Lashkar-e-tayyiba, Salafi Ahle Hadith, Athari Ahle Hadith, where do all these get included in Islaam?
Here because of taqleed the Hanafis are labeled mushriks. Why do not you go to Saudi and spread the word that anybody following any Imam is a mushrik? If being a Hanafi or Shaaf'i is incorrect, then surely being a Hammbali is also incorrect. The very same people you perform hajj behind and even go to for your fund raising. This means that every year you perform hajj behind mushriks.

G- All these names you have just mentioned, ghurabaa Ahle Hadith, Super Ahle Hadith, Muslimeen Ahle Hadith, Lashkar-e-Tayyiba, there is only a difference in as far as the names are concerned between these. There is no difference in their rulings and the source of their rulings. All drink from Nabi ρ. whatever rulings they pass are directly derived from the Quraan and the Ahaadith, there is no question of difference. A question of difference only comes about where those who leave the Quraan and Ahaadith and run behind an ummati.

S- My dear! This is just your good opinion of them. There are major differences amongst those names which I had mentioned.

G- Would you kindly present them?

S- Listen very well! The ghair muqallid Moulana Abdul Wahhab from Multan claimed to be an Imam;

1. He says, 'I am the Imam of the time'. (Mazaalim ropari with reference to Ta'aarufe ulama-e-Ahle Hadith pg.56)
2. The Imam of the time is the deputy of the Nabi. (Same as above)
3. Pledging allegiance to me is the same as that taken with Abu Bakr. (Ta'aarufe ulama-e-Ahle Hadith pg57)
4. That person who will not pledge allegiance to the Imam of the time will die a death of ignorance. (Same as above)
5. To purchase 4 to 8 aanaas (a certain small measure of weight) from the market place and distribute it will suffice as sacrifice. (qurbani) (Same as above). It is also permissible to offer an egg as sacrifice. (Fatawa Sattaaria)

This was the regulation of the leader of the Ghurabaa Ahle hadith. Now listen to the views of other Wahhaabis regarding him in the very same book. The Ghair muqallid Muhammed Mubaarak Sahib says;

1. The foundation of the group of the Ghurabaa Ahle Hadith was based solely on the differences of the muhadditheen. (pg.48)
2. Making the English happy was the hidden objective. (Ibial)
3. The group of Ghurabaa Ahle Hadith is a renegade group. (")
4. It is waajib to kill the entire group including the Imam. (")

Now say that there are no differences amongst you all. Listen further, the Ghair muqallideen consider it an innovation to lift the hands after the farz (obligatory) salah and make dua (supplication). In most Masaajid there is a continuous battle regarding this issue. In a state of ecstasy, a Ghair muqallid Molwi (scholar), Basheerur-Rahman Salafi wrote a book against those who do not supplicate after salah. In his book he proves that dua after salah is a Sunnat and not an innovation. He has also given many proofs for this. You may also listen to the verdicts Salafi Sahib has passed over those who do not lift their hands and supplicate collectively;

Their salah has no value, pg.5
These are newly risen Ulama, pg.10
Renegades, pg.11
Ignorant, pg.13
Deviated, pg.17
They are not weary of the Ahaadith, pg.18
Hypocrites, pg.27&28
They have misappropriated a trust, pg.29
Short sighted, pg.29
Fools, pg.30
Have lost their intelligence, pg.30
Crooked thinkers, pg.31
Distanced from Allaah, pg.31
Fallen prey to whatever they read pg39
Dull scholars, pg.40
So called researchers, pg.41&70
Like to have the last say, pg.60
Mischief makers, pg71
Conceited, pg.71
Heroes of Satan pg.51
Worshippers of words, pg.39
Deprived of divine ability, pg.75
Astray from the straight path. Pg.72

Now say that there are no differences amongst you all? Many say dua is an innovation and others swear those who call it an innovation. Professor Abdullah Bahaawalpoori says the slaughtering

of buffaloes is forbidden. Moulana Sultan Mahmood Jalaalpoori says it is permissible. Both are known to be Ahle Hadith. Both claim to be eradicating differences of opinion. Both absolve themselves of fiqh. Why then do we see them differ? You say there is no differences amongst you all. Listen further, all Ahle Hadith perform janazah salah in a raised voice, but the Mufti of Lashkare Taiyyaba Mufti Mubashir Sahib says to read it in a soft voice is the stronger view. (Risaalatud d'awa Sep.1996 pgs.36&37)

All the Wahaabis say and practice on saying the dua-e-qunoot in Witr, after the ruku, but the Mufti of Lashkare Taiyyaba says that it is better to read it before the ruku. (Risaalatud d'awa April 1993) Now say that there are no differences amongst you all.

G- These are all the new Ahle Hadith who differ. Our pious predecessors had no differences.

S- First you said that there were no differences at all. Now you say that your predecessors had no differences, but the present scholars have differences. The Persian couplet fits you well,

"A wahaabi will never surrender"

Many of your senior ulama of the past had major differences. You may contemplate them.

1. Shokaani Sahib and Nawaab Siddeeq Hasan Khan Sahib, who were both Ghair muqallids, say that Jumuah salah without the khutba is valid. (Roudathun nadiyyah) Waheeduz Zamaan Sahib says that it will not be valid. (Hadiyyatul Mahdi)
2. Waheeduz Zamaan says that one has to read Ta'awwuz in every rakat. (Ibid), Nawaab Sahib says it is masnoon at the beginning of the salah only. (Roudathun nadiyyah)
3. Nawaab Sahib says the tasbihaat in ruku and sajdah are Sunnat, Waheeduz Zamaan says it is waajib.

4. Nawaab Sahib says that it is permissible to write qibla or k'abaa (as an indicator towards the direction of the qibla). (Alazaabul muheen), Molwi Abdul Jaleel Sahib says its haraam.
5. Molwi Thanaa-ullah says that those who visit the graveyard are accursed, Molwi Sharaf says that women may also visit the graveyard. (Fataawa Thanaaiyah pg.315,316)
6. The first azaan of Jumuah is an innovation according to some, According to others it is Sunnat. (Thanaayah vol.1 pg.235 & vol.2 pg.179)
7. Molwi Thanaa-ullah says it is correct to make masah over socks, SharfudDeen Sahib says it is incorrect to do so. (Thanaayah vol.1 pg.441)
8. The arches built in masaajid are in imitation of the Jews and the Christians, (Thanaayah vol.1 pg. 476), Jonaaghri says writes that it is permissible (to build these arches). (Ibid)
9. To read salah bareheaded is permissible. (Thanaaiyah pg.523), To read salah bareheaded is a manner imitating the Christians and hypocrites. (Fataawa Ulama-e-Ahle Hadith vol.4 pg.391),
10. The semen is pure. (Ibid), semen is not pure. (Ibid vol.1 pg.42)

Brother! Think carefully and tell me. All these names of scholars that I have mentioned are names of Ahle Hadith and Ghair muqallid, they all claimed to have knowledge of the Ahaadith and took from the same source, yet we find serious differences of opinion amongst them. They differed in as far as pure and impure was concerned, as far as permissible and impermissible was concerned, at the end, why was this?

All these differences that I mentioned were just an example for you, otherwise if I have to tell you all the rulings wherein they differed, you would get tired just listening, and if one has to collect all these rulings and put them together, it would make up a voluminous book. Just to put you at ease regarding that which you had said, that

there are no differences amongst the Ulama who preceded, this much is sufficient.

G- Imam Abu Yusuf (R.A) and Imam Muhammed (R.A) were both the students of Imam Abu Hanifa (R.A). Both these had many differences with their teacher. When they did not accept what their teacher said, why do you compel me to listen to Imam Sahib? That person whose very students were not prepared to accept what he said, how could we then accept what he says?

S- Imam Abu Yusuf (R.A) and Imam Muhammed (R.A) had no differences with their teacher, Imam Abu Hanifa (R.A). They had even taken ouths saying that they had no differences with their teacher. (Shaami)

G- In the books of fiqh you would find many a time Imam Sahib (R.A) saying something, Imam Abu Yusuf saying something else, and Imam Muhammed saying something else. If these aren't differences, then what do you call differences?

S- My brother! May Allaah give you the ability to sit in the company of the true scholars of Deen and may he give you the ability to respect and honor the scholars of Deen. Whatever you have said is due to the lack of knowledge. The differences which you see in the books of fiqh could be explained thus; a person would come with a question or complicated matter to Imam Sahib (R.A) in one of his gatherings. Imam Sahib (R.A) would himself give many answers to this question. **From all these answers Imam Abu Yusuf (R.A) would give preference to one, while Imam Muhammed (R.A) would prefer another.** They would say that they felt the answer they chose was the most correct answer from all the answers their teacher had given. Outwardly it seems as though they differed with Imam Sahib (R.A), but in reality all the answers were Imam Sahibs' (R.A). These are all found in the books of fiqh. The differences you see are in reality no differences at all.

G- When all these were the answers of Imam Sahib (R.A) then there is no difference actually. The manner in which you have explained

this matter removes all forms of doubt and clears the matter, but there is no proof in the books that there were no differences amongst them, and all were the answers of Imam Sahib (R.A).

S- Uqoodu 'Rasmul Mufti' is a book of Allaamah Ibn AabiDeen (R.A) which muftis read and teach. In it he has explained this entire issue in the form of a poem.

G- The Deobandis and the Barelwis are both followers of Imam Abu Hanifa (R.A), but both call the other kaafir and do not read salah behind one another. From these two who is going to enter paradise? One has to be a liar. Who would Imam Sahib (R.A) side with?

S- The Jamaate Muslimeen Ghair muqalliDeen do not read salah behind other Ghair muqalliDeen, they consider inter marrying with other Ghair muqalliDeen to be forbidden and to read their Janazah salah also to be forbidden.

Now the decision is yours. Both claim to practice on the Quraan and Ahaadith. At the end of the day, one of them has to be lying, which one is going to paradise?

The Ghurabaa Ahle Hadith of Karachi say that it is farz to pledge allegiance to their Imam, and anybody who does not do so would die a death of ignorance, meaning a death of kufr.

On the other hand, other Ghair muqalliDeen say that pledging allegiance to a peer, pious person or spiritual guide, are all acts of innovation. Now the Ghurabaa Ahle Hadith are saying, without pledging allegiance, the other Ghair muqalliDeen are dying deaths of ignorance, while the other Ghair muqalliDeen are saying that the Ghurabaa Ahle Hadith are all innovators. You decide now, as to which group is going to paradise, because both call themselves Ahle Hadith.

Molwi Muhammed Mubarak has passed the verdict that all the Ghurabaa Ahle Hadith have to be killed, as we have previously mentioned, and he even says that these (people) are a group of renegades. Now both these are referred to as Ahle hadith, which one of them are going to paradise and which one to hell? You decide

(regarding them, and) I will make the decision as regards Deobandi and Barelwi.

We seek refuge in Allaah regarding the differences that the Youth Force and Lashkare tayyiba have. The verbal abuse between them (is shocking). When an Aalim of one of the groups is killed, the other group says his body is like a corpse (of an animal). They have gone to the extent of even cursing each other. You make a decision as regards who will go to paradise. I will also make a decision as regards the Deobandis and the Barelwis.

G- Instead of answering my question, you have unceasingly asked me so many questions. Kindly answer my question.

S- The answer to your question is hidden in all my questions. Whatever answers you would give; I would give the same answer. Are not your questions and mine of the same nature?

Nevertheless, those followers (of a mazhab) amongst the Deobandis and Barelwis whose beliefs are correct, will go to paradise, and those whose beliefs are incorrect, for them to be called a follower of Imam Sahib (R.A) with certainty, (is not possible), they can only be Ghair muqallids, not Muqallids.

All these customs like, *juloos, meelaad, khatam, 3rd, 7th, 10th, 40th, urs, dhol baajah, qawwaali, to have dancing girls at the mazaars, to have festivals, to prostrate to the peers, to prostrate at the mazaars, to make omens, gyaarwee shareef, slaughtering in the name of others besides Allaah, to believe in* Nabi ρ *being omnipresent, to present ones needs to beings other than Allaah,* if you find them anywhere in the fiqh of Imam Sahib (R.A), then they are staunch followers of him. And, if the above mentioned customs are neither found in the Quraan, nor Hadith, neither is it proven in the Hanafi fiqh, then these (people) have got to be Ghair muqalliDeen. To call them MuqalliDeen will be incorrect. Nevertheless, you should keep the answers to the above mentioned four questions ready!

G- Look, you and the Shias believe that the Imam is innocent.

S- We do not take him to be innocent.

G- Verbally you do not consider him to be innocent, neither do you say so, but through action you certainly do consider him to be innocent.

S- Look, to speak lies is impermissible according to everyone, but perhaps according to you, when in favor of your teachings then speaking lies is precisely an act of reward.

G- How is that? I have not spoken any lies regarding your teachings and that of the Shias as far as the matter of the Imamat (leader) goes.

S- I will show you later how the Shias and the Wahaabis are like sugar and honey, and in how many matters they think alike. For now let me clarify how much the Ahlus Sunnah and the Shias differ in as far as just the idea of the leader goes;

1. According to the Shias the Imaamat is an explicit injunction of Allaah;
2. While this is not so according to us, rather it is contrary to the Islaamic beliefs.
3. According to the Shias the status of Imaamat is loftier than that of Nabuwaat; (Hayaatul Quloob)
4. While we say that this is a tenet of disbelief.
5. The Shias believe that the Imam emanates from the light (noor) of Allaah; (Usoole Kaafi pg.117 with reference to Irshaadushia)
6. We say this is a tenet of disbelief and shirk.
7. The Shias believe that the Imam is the owner of both the worlds, and all the powers of Allaah have been handed to the Imam; (Usoole Kaafi pg.259)
8. We say that this is a tenet of disbelief and shirk.

9. The Shias say that the Imam has the discretion to make whatever he wishes permissible or impermissible;

10. We say that Allaah alone has this choice.

11. The Shias say, entering a contract of temporary marriage makes one reach the status of Prophethood;

12. We say that temporary marriage and adultery is the same thing.

13. According to the Shias without entering into a contract of temporary marriage one cannot become an Imam; (Tafseer Manhajus-sawdiqeen with reference to Irshaadushia pg.179)

14. We say that this tenet is one of deviation from top to bottom.

Look there is a world of difference between us and the Shias regarding the belief of Imaamat. You go on speaking lies and thereafter link us to the Shias.
G- Do the rulings of the Ahle Hadith and the Shias have any similarity?

S- O yes!

G- Which ruling of the Ahle Hadith and Shias is the same?

S- Nawaab Noorul Hasan Khan who is a Ghair muqallid says that the saying of a Sahabi τ is not a valid proof, (Urful Jaadi pg.207 vol.1) and this is precisely what the Shias believe.

Waheeduz Zamaan a Ghair muqallid scholar says it is okay to say 'yaa Ali or yaa Muhammed', (Hadiyyatul Mahdi pg.24) and this is also a Shiite belief.

He also says that there is no consensus on giving preference to Shaikhain (Abu Bakr τ and Umar τ) over all other Sahaba τ, (Hadiyyatul Mahdi pg.94) this is also a Shiite belief.

To mention the names of the Khulafaa-e-raashiDeen in the (Friday) sermon is an innovation, (Hadiyyatul Mahdi pg.90) this is also a Shiite belief.

The modern Ulama can be superior to the Sahaba τ , (Hadiyyatul Mahdi pg.118) this is also a Shiite belief.

According to you, one may commit sodomy with ones wife, (Hadiyyatul Mahdi pg.118) this also a Shiite belief. (Al-isthibsawr pg.243 vol.2 with reference, Irshaadushia)

According to you three divorces given in one sitting is equivalent to one divorce only, this is neither the belief of Imam Bukhari (R.A) nor the four Imams, but it is a Shiite belief.

You reject consensus, and so do the Shias.

You also accept temporary marriages, (Hadiyyatul Mahdi pg.118) this also is a Shiite belief.

Listen further! The Ghair muqallid scholar Waheeduz Zamaan says, 'We are the followers of Ali τ' (Hadiyyatul Mahdi pg.100)

Now tell me. Are we and the Shias alike, or you and the Shias? Ask Allaah for guidance and do justice thinking carefully.

G- Look, there are four Imams. We do not accept what the Imam of Kufa has to say, we accept that which the Imam of Madinah has to say and you accept that which the Imam of Kufa has to say.
S- My brother! The name of the Imam of Madinah was Imam Maalik (R.A). You do not even accept what he says. This is just a deception that these people accept the Imam of Kufa, and we accept the Imam of Madinah. I will soon show you how much you differ with the Imam of Madinah; in fact you differ in many ways.

1) You lift your hands at the time of ruku. The Imam of Madinah says he does not even know what is the lifting of the hands (is meant for). (Mudawwatuhul Kubra, Nadwi pg.168 vol.1)

2) You are in the opinion of making masah on the turban, and the Imam of Madinah does not give permission to do so. (Muwatta Imam Maalik r.a pg.23)

3) According to you, one should strike his hands once at the time of tayammum, while the Imam of Madinah says; one should strike the hands twice. (Muwatta)

4) You say that the muqtadi should read surah Faatiha in both the silent and the audible salahs. The Imam of Madinah says that the muqtadi will only read surah Faatiha in the silent salahs. (Muwatta)

5) According to you, one who joins (the Imam) in the position of ruku has missed the rakat. The Imam of Madinah says that a person has made the rakat. (Muwatta)

6) You say that it is compulsory to read surah Faatiha in Janaazah salah. The Imam of Madinah says that there is no such practice in the city of Madinah. (Mudawwanah)

7) According to you the Janaazah salah read in the Masjid, is permissible. The Imam of Madinah says it is reprehensible. (Mudawwanah)

8) According to you the witr salah is of one rakat. According to the Imam of Madinah it is a minimum of three rakats. (Muwatta)

9) According to you, the consumption of horse meat is permissible. According to the Imam of Madinah, it is not. (Muwatta)

10) According to you, the days of sacrifice (of animals at the time of eid) are four. According to the Imam of Madinah, they are of three days only. (Muwatta)

How many a rulings of Deen there are wherein you have even discarded the Imam of Madinah, yet you then go and give people the wrong impression that you accept the Imam of Madinah and whilst we accept the Imam of Madinah. This is absolutely incorrect. In reality you do not accept the Imam of Madinah nor the Imam of Kufa, but you accept Muhammed Jonaagri and Hakeem Sawdiq Siyaalkoti.

G- We only accept those books written in Madinah Shareef. How can we accept books written in Kufa, India or Pakistan?
S- Tuhfatul Ahwazi, Nuzlul Abraar, Badoorul Ahlah, Urful Jaadi, Hadiyyatul Mahdi, Subulas-Salaam, Salaatur-Rasul T, Sabeelur

Rasul and Haqeeqat-e-fiqh. When were all these books written in Madinah? These are all the crops of Pakistan and India, and were written after the reign of the English.

G- You have not understood what I said. What I meant was that we accept only the Sihah Sitta, i.e. Bukhari, Muslim, Abu Dawud, Thirmizi, Ibn Majah and Nasai.

S- These books were also not written in Madinah. They were written in different areas of Russia.

G- Then which book was written in Madinah?

S- My brother! Someone has mis-informed you that Bukhari and Muslim were written in Madinah. The book which was written in Madinah was the Muwatta of Imam Malik (R.A), the very book with which you have serious differences. The other book of fiqh which was written in Madinah is an authentic Hanafi book, Durre Mukhtaar, by Allaama AllaudDeen (R.A). He sat beside the mausouleum of Nabi ρ and wrote this book. Look, you do not accept the Imam of Madinah or the books of Madinah. You still call yourself Ahle Hadith and a member of Madinh, what a great deception!

G- Why do you discard the fiqh of the other Imams and only give preference to the fiqh of Imam Abu Hanifa (R.A)?

S- Because the fiqh of Imam Sahib is one that was (compiled after much) consultation and deliberation. Imam Sahib had established a panel of consultants made up of Ulama. Whenever any question arose, he would present it to this panel. Whatever decision this panel would make and whatever ruling they would agree upon, would then be recorded. This was not the case of the other Imams. Their fiqh was not one that was mutually consulted upon. Each one in his own capacity sat and wrote/compiled (his fiqh).

G- Okay, you accept the fiqh of Imam Abu Hanifa (R.A) and practice on it, but why do you call him Imam-e-a'zam? You see, the meaning

of Imam-e-a'zam is, greatest leader, just as the meaning of Allaahu Akbar is, Allaah is the greatest. Well, Muhammed ρ is the greatest leader. To call Imam Abu Hanifa (R.A) Imam-e-a'zam amounts to equating him to the status of Muhammed ρ.

S- Wow……what a deceptive way to deviate people.

G- How is it deceptive? Do you not call Imam Sahib Imam-e-a'zam?

S- We do call him Imam-e-a'zam, but in comparison to the other Imams. We do not call him Imam-e-a'zam in comparison to the Sahaba τ even; leave alone in comparison to Nabi ρ, Allaah forbid. If the words Imam-e-a'zam could only be used for Nabi ρ, and using it in reference to anyone else is a sin, then Farouq-e-a'zam would have to be Nabi according to you and not, Umar τ. Siddeeq-e-akbar would not be Abu Bakr τ, but, Nabi ρ. Qaaid-e-a'zam would also be Nabi. Munaazir-e-a'zam would not be Ropari Sahib, Munaazir-e-a'zam would be Nabi ρ. Khateeb-e-a'zam would not be Shaikhupoori Sahib, but only Nabi. Peeran-e-peer wouldn't be Shaikh Abdul Qadir Jailaani, but Peeran-e-peer would have to be Nabi ρ. Shaikhul-kul fil-kul would not be Nazeer Dehlawi Sahib, but Shaikul-kul fil-kul would have to be Muhammed ρ.

When Allaah takes the intelligence away, stupidity certainly sets in
By cursing the aimah, deviation certainly sets in

Damage is not created by just the word Imam-e-a'zam. In that case, all the titles the ummat have adopted would have to be incorrect.

G- What is the meaning of Imam-e-a'zam then?

S- You have either understood the wrong meaning, or you have taken the route of sheer ignorance. Look, Farouq-e-a'zam is used on the level of the Sahaba (R.A), and not in comparison to the Ambiyaa (A.S). Siddeeq-e-akbar is used on the level of Sahaba τ, and not in comparison to the Ambiyaa (A.S). When Munaazir-e-a'zam or Khateeb-e-a'zam are used on the level of their contemporaries, it has

no comparison to the Ambiyaa (A.S). The title Shaikhul-kul fil-kul used in comparison to the ulama of the same era would have no comparison to Nabi ρ. Similarly, Imam-e-a'zam is used in comparison to the ulama of the era after Sahaba τ and has no comparison to Nabi ρ.

G- Imam Abu Hanifa (R.A) may have been the Imam of fiqh, but he has no popularity as far as Ahadith are concerned. Imam Bukhari (R.A) and other aimah of Ahadith embarked on arduous journeys to acquire Ahadith, but Imam Abu Hanifa (R.A) did not embark on any journey to acquire the Ahadith of Nabi ρ.

S- This is also a deception that Imam Sahib did not embark on any journey to acquire Ahadith. In reality this was a question asked by Yusuf Jaipoori in the book, Haqeeqat-e-fiqh, and this is an absolute lie. The fact of the matter is that Imam Sahib resided in Kufa, where many great muhadditheen and mujtahiDeen were also present. It was to these very same people, which others from outside of Kufa would come to for the purpose of acquiring Ahadith.

Imam Bukhari (R.A) traveled from Bukhara to Egypt covering all the towns in between just to acquire Ahadith. He traveled twice to the Arabian Peninsula, four times to Basrah; he lived in Arabia for six years. Inspite of all this, he showed such importance to Baghdad and Kufa, that he would even say, that he cannot count how many times he had to travel to Kufa and Baghdad with the muhadditheen. **Under these circumstances, it was not required of Imam Sahib to first of all even leave Kufa to acquire Ahadith, for everything was available in Kufa itself. Nevertheless it has been proven from the books of history that Imam Sahib had embarked on many other journeys to acquire Ahadith, (Hadith and The Ahle Hadith, pgs.56 & 57.)** No sensible person besides a Ghair muqallid would negate the knowledge of a person living in Lahore who acquired knowledge and Ahadith from Moulana Moosa Khan Sahib (d.b) and other scholars of that area, and not from the scholars of Karachi.

G- The people of Saudi are also Ahle Hadith. They do not follow any Imam. They financially contribute to us and not you. We can

understand from this that they are ours, Ghair muqallids, and not yours, muqallids or Hanafis or Shafis. When the Haramain Sharifain are pure of taqleed, why should any other place need taqleed, that too, the taqleed of Kufa a place which we never hear any good being spoken about? How could we ever expect any good from those who assassined Imam Husein τ?

S- My dear! This is also a deception which you have fallen into that the Saudis are Ahle Hadith/Ghair muqallids. Never, they are followers of the Hambali mazhab.

1. The Saudis are Muqallids, while you are Ghair muqallid;
2. The Saudis read twenty rakats taraweeh, while you read eight;
3. The Saudis perform the Janazah Salah silently, while you perform it audibly;
4. The Saudis consider three (talaaqs) divorces to be three, while you consider it to be one;
5. The Saudis do not lift the hands for the third rakat, while you do so;
6. The Saudis are in the opinion of sending peace and salutations at the graveside, while you reject this;
7. The Saudis accept fiqh, while you are an enemy to fiqh;
8. The Saudis respect all four Imams, while your molwis sermon cannot be complete without cursing the Imams.

Now tell me, are they yours or ours? Let us look at it from another perspective. Let us both go to the Imam of the K'aba. I will tell him that I am a follower of Imam-e-a'zam Imam Abu Hanifa (R.A), and you tell him that anyone who follows any of the four Imams is a mushrik and one who is deviated. For, to follow any of the four Imams is complete deviation. We will then see whose hand this Imam of the K'aba kisses, and whose head he hits with a shoe. We would then know whether the Saudis are with us or with you.

In the same manner in which you write a pamphlet regarding eight rakats taraweeh and send it out in Pakistan challenging those who perform twenty rakats, why do you not send one out to the Saudis? We would very easily come to know then, whether they are with you or us. We would also see if they give charities or not. Tafseer-e-Uthmaani is a commentary written by Allaamah Shabir Ahmed Uthmaani Deobandi. King Fahad had it printed and distributed through out the world. Had he been (a member of) yours he would have distributed your Tafseer and not (the tafseer of) a Deobandi.
G- Look, the people of Kufa killed Imam Husein τ. How can we take their word?
S- What a dull and stupid question. Wherever a pious person is killed, the word of all the other pious people living there will not be practiced on? In that case, Hadhrat Uthmaan τ was matyred in Madinah, therefore the word of those residing in Madinah becomes unworthy of being practiced upon.

G- You are enforcing onto me such things which are not even the command of Allaah and his Rasul ρ.

S- What have I enforced onto you?

G- Taqleed.

S- Allaah and his Rasulρ have commanded (us to make) taqleed.

G- Where have they commanded us?

S- It is stated in the Quraan, 'if you do not know, ask those who have knowledge.' To ask someone and thereafter accept, is what taqleed is all about. At another place it is stated, O those who have brought belief, obey Allaah, and obey his Rasul ρ and the mujtahiDeen'

G- You have incorrectly translated 'ulil amr' as mujtahiDeen. The translation of this is, the rulers or kings.

S- The kings of the world are need of the kings of Deen when it comes to the matters regarding Deen. The kings of Deen are the

mujtahiDeen. The words 'ulil amr' in the Quraan, mean Ahle istinmbaat. (Surah Nisa verse 83)

G- The word taqleed is not found in the Quraan, so of what benefit is taqleed?

S- The word Janazah is not found in the Quraan, therefore there is no benefit in Janazah. You do not need to worry; we will bury you without Janazah.

G- When taqleed is a command found in the Quraan, why did Shah Waleeullah Muhaddith Dehlawi (R.A) say that taqleed begun in the 14th century and he would also stop (people) from taqleed?

S- This is an accusation and rumour which has spread regarding Shah Sahib. Shah Sahib has neither prevented from taqleed nor has he said that it had begun in the 14th century. **Shah Sahib has mentioned two types of taqleed in his book,** "Aqdul Jayyid"; 1.Impermissible 2.Compulsory.

To follow evil people in their evil ways is impermissible, and to follow righteous people in good is compulsory. In the same book on pg.69 Shah Sahib says **that taqleed is found with continuity from the era of Nabi ρ.** Look up pg.53 of the same book. He writes that not to follow an Imam leads to great mischief/corruption. On pg.56 he writes, to leave (following) the Imams, is to leave the large group (which Nabi ρ had made reference to). Shah Sahib had actully instructed to make taqleed (and not prevented from it). He has termed those who do not make taqleed to be out of the large group (refered to by Nabi ρ and has called them mischief makers. What accusations have you begun to make on Shah Sahib, claiming that he had prevented from taqleed. All your questions seem to be of the same kind.

G- You prove every question of mine to be a lie. If the Ahle Hadith were wrong, Shaikh Abdul Qadir Jailani would not have been an Ahle Hadith. He used to make raf'e yadain (lifting the hands

between different postures of salah). Does there still remain any doubt about him being an Ahle Hadith?

S- To call Shaikh Abdul Qadir Jailani an Ahle Hadith is another lie just like all the other lies. Shaikh sahib was a follower of Imam Ahmed ibn Hambal (R.A), (Ghunyatut-taalibeen pg.431) whereas you refer to taqlid as shirk. He considered making Nabi ρ a waseelah (means to gain from Allaah) permissible, (pg.34) whereas you are an enemy to the act of waseelah. To make a verbal intention (for salah) according to him is better and more virtuous, (pgs.20 & 55) whereas you read salah without intention and say that to make a verbal intention is an act of innovation. He says that the person behind the Imam (in salah) should remain silent when the Imam is reciting the qiraat, (pg.431) whereas you reject this. He says that taraweeh is of twenty rakats, (pg.294) whereas you say this is an innovation. He acknowledges that the dead can hear, (pg.457) wheras you reject this.

Now you tell me, was Shaikh Abdul Qadir Jailani a Sunni or a Ghair muqallid wahhaabi? What does remain is whether one becomes a Ghair muqallid just because he makes raf'e yadain? Well, in that case all the Shia Rafidis are Ghair muqallids, because they make raf'e yadain at more instances than you (in salah).

The outcome of not making taqleed. (following an Imam)

G- At the end of the day, what harm is there in not making taqleed?

Brother! By not making taqleed one gets absolutely deviated. He will translate any Hadith or verse of the Quraan however he so wishes. Whatever translation comes to his mind, he will make. He will reject the translation of others and say, 'since when do I follow anyone?' Those who reject the Hadith, the Parwezis, the Moudoodis, and the Mirzaais are all the fruits of not making taqleed.
G- Was Mirza Qaadiyaani a Ghair muqallid?

S- Yes.

G- Impossible, he was a Hanafi.

S- Had he been a Hanafi, he would not have claimed Nabuwaat. Where in the fiqh of Imam Sahib do we find it written that the claim of nubuwat can be made by anyone? It is quite certain that his claim of nubuwat was the direct result of shunning the Hanafi fiqh and taqleed. Had he beautified himself with the garland of Imam Sahib (R.A), he would never have claimed nubuwat.

G- I have heard that he was a Hanafi.

S- Here we go again, wrong information. Let me tell you. His nikah was performed by the Ghair muqallid aalim, Sayyid Nazeer Husein Dehlawi. He took a prayer mat and five rupees as payment for performing the nikah. His wife was the Ahle Hadith, Nusrat Baigham. (Raees Qaadiyaan)

1. He held the view point of eight rakats taraweeh. (Seerat-e-mahdi pg.13 vol.2) This is also your view point.
2. Mirza held the view point of making masah on socks. (Seerat-e-mahdi pgs.26 & 29) This is also your view point.
3. He held the view point of joining two salahs in the time of one salah just as you also do.
4. Mirza held the view point that one may eat iguana, and this is in accordance to your teachings.
5. Mirza says that the hands should be tied on the chest (in the standing posture of salah) just as you also say. (Refer to Alkalaamul mufeed pg.186)

Now tell me if Mirza Qaadiyaani was a Hanafi or Ghair muqallid? The Ahle Hadith gave him a woman to marry, an Ahle Hadith performed the nikah, you and him think alike as far as the matters pertaining to Deen are concerned, then too he is not a Ghair muqallid, what is he then?

G- When taqleed is so essential, whose taqleed did the Sahaba τmake?

S- Some Sahaba τ were mujtahids while others were ghair mujtahids. The (ghair mujtahids) amongst them would follow (make taqleed of) the mujtahids. During the very time of Nabi ρ those in Yemen would follow Hadhrat Muaaz τ. Shah Waleeullah Muhaddith Dehlawi (R.A) writes in his book 'Alinsaaf' that the Sahaba τ had spread out to various cities. In every city a certain Sahabi τ would be followed. Hadhrat Ibn Abaas (R.A) was followed in Makkah, Hadhrat Zaid ibn Thabit τ, in Madinah, Hadhrat Abdullah ibn Masood τ in Kufa, and Hadhrat Anas τ in Basrah.

G- When Shah Sahib also says that taqleed is found with continuity from the time of Nabi ρ, and that some Sahaba τ (R.A) would follow others who were mujtahids, why is it that our Ahle Hadith are so angry with the idea of taqleed? This seems to be something beyond my understanding.

S- Now this is what you ought to have asked, but much earlier, you have delayed. The Ghair muqallids also make taqleed my dear, but they do not accept the fact (that they do so.) The difference is just this much. We pray for those whom we derive the rulings regarding the injuctions which are not explicitly mentioned (in the Quraan or Ahaadith), whereas the Ghair muqalliDeen swear those whom they derive their rulings from.

G- Which are those rulings where we make taqleed of anyone?
S- :

1. The consumption of buffalo meat and milk is a ruling found in fiqh not in the Ahaadith. The Ghair muqallids make taqleed here, but would not accept it.
2. There are two Sunnats and two farz in the Fajr salah. This is found in fiqh, not in the Ahaadith. The Ghair muqallid makes taqleed of the muqallid here.

3. The number of rakats, and how many are farz, how many Sunnat etc. in Zuhr, Asr, Maghrib and Esha salah are not foud in Ahaadith, but this distribution (of rakats) are found in fiqh. The Ghair muqallid in accepting this distribution of fiqh, are (in reality) making taqleed of fiqh.

4. The Ahle Hadith lift their hands and make dua in the witr salah. They are following Imam Shafi (R.A) in this ruling, as it is not found in Ahaadith.

5. The Ahle Hadith follow Ibn Taimiyyah in the ruling regarding divorce.

6. To read the thanaa and ta'awuz silently at the beginning of the salah is a ruling of fiqh. The Ahle Hadith follow the scholars of fiqh in this ruling.

7. The Imam has to say the takbeer-e-tahreemah loudly and the muqtadi has to say it silently. This is a ruling found in fiqh, not in Ahaadith.

8. The Imam should say the salaam loudly and the muqtadi should say it softly. This is a ruling found in fiqh, not in Ahaadith.

9. One should read the tasbeehat of ruku and sajdah silently. This is a ruling found in fiqh, not in Ahaadith.

10. The Sunnat salahs are performed individually. Only the farz salahs may be performed in congregation. This is a ruling found in fiqh, not in Ahaadith.

11. The muqtadi should say the ameen in Fajr, Maghrib and Esha aloud; whilst in Zuhr and Asr he will not say it. This is not a ruling found in the Ahaadith.

12. Will the salah of one who misses out the thanaa or ta'awuz be valid or not? This is a ruling of fiqh, not Ahaadith.

13. As far as where a person should place his hands in the posture between the two sajdahs, could be found in fiqh, not Ahaadith.

14. To leave the hands to the sides whilst in the standing posture between ruku and sajdah is not a ruling of the Ahaadith. The Ahle Hadith follow the ruling of fiqh in this matter.
15. The conditions laid down by the Ghair muqalliDeen for salah are not found in the Ahaadith. They follow the conditions laid down by the Ahnaaf.
16. The intention that the Ghair muqalliDeen make for salah is not found in the Ahaadith.
17. The Ghair muqalliDeen follow Ibn Hajar (R.A) when it comes to the art determining the authenticity of the chain of narrators.
18. Fasting and sacrificing of animals have been made compulsory. These words (of compulsion) are not found in the Ahaadith. They follow the Ahnaaf in this matter.
19. The method in which the Ghair muqalliDeen perform their Janaza salah is not found in the Ahaadith. What I mean by this is, after the first takbeer to read five things (thanaa, ta'awuz, tasmiyyah, fatiha and a surah). To read Durood-e-Ebrahim after the second takbeer, to read 12/13 duaas after the third takbeer. This method of performing the Janaza salah is not proven from any authentic Hadith.
20. The claim of the Ghair muqallideen, that making dua after the farz salah is an innovation, is not proven from the Ahadith.

I will suffice on these, for if I have to begin counting such rulings wherein the Ghair muqalliDeen have no Hadith as proof, but follow someone and someone or at the very least they use analogy (to arrive at their ruling), this will become a voluminous book.

G- Actually (what had happened was,) I was working with a few Ghair muqalliDeen youngsters. These youngsters gave me a few books. I had no knowledge of what was written in these books. After having read these books I began lifting my hands (at various points in sasalah), I began to stand (in salah) with my legs spread apart, I began to place my hands on my chest (in salah) etc. You have answered all my questions with proofs and have explained things

very well to me. Now I am at ease. What remains, is that I have been affected by a few books. Could you perhaps do something about that?

S- Which books have they given you? Could you show them to me?

G- “Salatur Rasool” and “Sabeelur Rasool” both by, Hakeem Sawdiq Siyaalkoti and “Haqeeqatul-fiqh” by Yusu Jaipoori.

S- Brother! These are the very three books which the Ghair muqalliDeen give to people in an attempt to deviate them. They move people away from following Imam Sahib (R.A), and make them follow an ignorant Siyaalkoti. What a fraud! They create a dislike towards taqleed, and put a person back onto taqleed (in another form).

G- Is there anything wrong with the content of those books?

S- Is it possible to be a Ghair muqallid and not speak lies? Let us take a close look at some of Hakeem Sawdiq Sahibs lies. Here is the book, Salatur rasool;

On pg.131 he writes the azaan and gives reference of Bukhari and Muslim, whereas this is not a narration of Bukhari. This is an accusation against Imam Bukhai (R.A)

On pg.161 he states that the hands should be raised up to the shoulders or the ears and gives reference of Bukhari and Muslim, whereas these words are not found in Bukhari.

He has mentioned a Hadith on pg.179 under the chapter regarding masnoon Qiraat and has given the reference of Muwatta Imam Malik. This is also a lie.

He has written the azaan mentioning Allaahu Akbar four times, on pg.135 and gives reference of Muslim, whereas this too is a lie.

He mentions the words ‘laa yastadir’ on pg.134 and gives the reference of Bukhari and Muslim, whereas this belies both books.

The lies found in Sabeelur rasool;

1) He narrates a Hadith thus, 'the best of deeds is the perfoming of salah in its initial time' and gives reference of Bukhari. This is an open lie.

2) He mentions a narration regarding three talaaq (divorce) and gives the reference of Bukhari, whereas this is not in Bukhari.

3) In similar manner he has added the words, all of a sudden, in the translation of the Hadith regarding three talaaqs, which is either a black or white lie.

4) He gives reference to Ibn Majah and Muwatta Imam Malik when mentioning the incident that occurred at the time of Fajr regarding the recital of surah Fatiha behind the Imam. This is a false claim, as this Hadith is not mentioned in both these books.

Now you tell me, when Sawdiq, "truthful" speaks so much lies, what will the condition of the rest be? The lies mentioned in the book, 'Haqeeqatul-fiqh' are countless. Nevertheless, I will make mention of a few so that the importance of this book becomes known to you.

1) The Hadith which tells us to tie the hands bellow the navel is a weak Hadith. He gives the reference of Hidaayah for this.

2) The Hadith which tells us to tie the hands on the chest is an authentic Hadith. He gives the reference of Hidaayah for this.

3) To read "allaahumma baa'id baini" is more correct than reading "subhanakAllaahuma" (as thanaa in the beginning of salah.) He gives the reference of Sharhe- Wiqayah for this.

4) The Hadith which mentions not to read surah Faatiha behind the Imam is a weak Hadith. He gives reference of Sharhe-Wiqayah for this.

5) The Hadith "izaa kabbaral Imamu fa kabbiroo bi he" is a weak Hadith. He gives reference of Sharhe-Wiqayah for this.

6) The saying of ameen is a stamp of acceptance. He gives reference of Sharhe-Wiqayah for this.

7) The muqtadi should say ameen upon hearing the Imam's ameen. He gives reference of Durre Mukhtar for this.

8) The Hadith (in which we are told to make) raf'e yadain as compared to the one (which tells us) not to make, is stronger. He gives reference of Hidaayah for this.

9) All the Ahadith which mention not to make raf'e yadain are weak. He gives reference of Sharhe-Wiqyah for this.

10) To dispute/wrangle with the person who makes raf'e yadain is permissible. He gives reference of Hidaayah for this.

All this is pure lies. The original text of the book should be presented. The Ghair muqalliDeen scholars will never ever present the original text.
These are the three books which have had an effect on you without any reason, my brother.

The result of this conversation

G- I will never lay my hands on such books which have so many lies in them. I seek refuge from (joining) such a sect in the future, which speak so many lies. You have put me at ease as far as every matter of mine. The truth of the matter is that we (only) learn a few Ahadith, and then fall behind (attacking) those who have (actually) dedicated their lives for the course of Deen. We have no knowledge whatsoever as far as which (Hadith) is abrogated, and which (Hadith) has replaced it. We should be praying for those who have sacrificed their lives in the preservation and presentation of all the rulings of Deen for us. At the times of difficult we go to them for the solution, and (at other times) we swear at them, this is sheer treachery. I am going to re-invite all those whom I have encouraged to read salah bare-headed, and make salaam with one hand. I am also going to bring back those whom I have made to stand with their

feet spread apart in salah. The very first lesson of those friends who had put me on this (path of Ghair muqalliDeen) was, not to go and question those who have knowledge regarding the Ghair muqalliDeen, but to go to the uneducated and those who have made no research, and pester them. I have joined forces with them and ridiculed my father on numerous occasions. I will seek forgiveness from him too. Today only have I realized how these people speak lies using the name of the Quraan and Hadith. They call everything Hadith. What will the condition of the general masses amongst them be, when the ulama amongst them speak so many lies? May Allaah protect every Muslim from speaking lies and may He guide one and all to follow in the footsteps of the pious predesessors. Ameen.

Translation Edited by: Mufti A H Elias (May Allaah protect him)
Shawaal 2029 – October 2008

"QIRA'AAH KHALFAL IMAAM"

Reciting Qiraa'ah While Following The Imaam

Question: The Ghayr Muqallideen regard Qiraa'ah Khalfal Imaam as Fardh (obligatory) and prove their point by quoting the Hadith: "There is no salaah for the one who does not recite the opening of the Kitaab (Surah Faatiha)." They claim that the Hanafis oppose this Hadith and also say that one cannot contradict a Hadith that appears in Bukhaari and Muslim. People are now in doubt. We would therefore appreciate a detailed reply in the light of the Qur'aan and the Ahadeeth, especially quoting the proofs of the Hanafis and their replies to the others. Your reply will be a cause of guidance and will Inshaa Allaah dispel the wrong notions of the masses.

Answer: This issue is a point of great contention and difference of opinion. One cannot prove himself by presenting only a portion of a

Hadith because a decision can be made only by studying all the various Ahadeeth.

The Hadith you quoted refers to the salaah of a person performing salaah by himself (and applies also to an Imaam). It does not refer to the salaah of a Muqtadi. The following is an extract from Sahih Tirmidhi from the famous Muhaddith and Mujtahid Imaam Ahmad bin Hambal رحمه الله:

"Imaam Ahmad رحمه الله states that when Rasulullaah ρ said, "There is no salaah for the one who does not recite the opening of the Kitaab" he was referring to the person performing salaah by himself. He proves this point by quoting a Hadith in which Hadhrat Jaabir τ said, "Whoever performs a Rakaah without reciting the mother of the Qur'aan (Surah Faatiha) has performed no salaah unless he is behind an Imaam." Here we have a companion of Rasulullaah ρ interpreting the words "There is no salaah for the one who does not recite the opening of the Kitaab" as a person performing salaah individually.[1]

Although this narration quotes the words of Hadhrat Jaabir τ, a narration of Tahaawi[2] quotes the words from Rasulullaah ρ himself. Imaam Abu Dawood رحمه الله has reported that even according to Hadhrat Sufyaan bin Uyayna رحمه الله, the Hadith refers to a person who performs salaah by himself.[3] The stance of the Hanafis therefore conforms with the Ahadeeth and the narrations of the Sahabah ψ and Taabi'een.

The Qur'aan states: **"When the Qur'aan is recited, then listen attentively to it and remain silent so that mercy may be shown to you."[4]**

[1] Tirmidhi (Vol.1 Pg.42).
[2] Vol.1 Pg.107.
[3] Abu Dawood (Vol.1 Pg.126).
[4] Surah A'raaf, verse 204.

The chief of the Mufassireen Hadhrat Abdullaah bin Abbaas τ and Hadhrat Abdullaah bin Mughaffal τ both state that this verse refers to the Fardh (obligatory) salaah.[1] Allaama Ibn Kaatheer رحمه الله adds further that the same interpretation has been stated by Hadhrat Mujaahid رحمه الله, as quoted by Hadhrat Sufyaan Thowri رحمه الله and several other scholars. In fact, the same opinion is shared by Hadhrat Sa'eed bin Jubayr رحمه الله, Hadhrat Dahhaak رحمه الله, Hadhrat Qataadah رحمه الله, Hadhrat Ibraheem Nahka'ee رحمه الله, Hadhrat Sha'bi رحمه الله Hadhrat Suddi رحمه الله and Hadhrat Abdur Rahmaan bin Zaid bin Aslam رحمه الله.[2]

Ma'aalimut Tanzeel[3] states, "Hadhrat Abu Hurayrah τ reports that this verse was revealed because some Sahabah ψ used to recite loudly when they followed Rasulullaah ρ in salaah … When Hadhrat Abdullaah bin Mas'ood τ heard some people reciting as they followed the Imaam, he turned to them after the salaah and said, "Has the time still not arrived for you to understand the verse: ' **When the Qur'aan is recited, then listen attentively to it and remain silent so that mercy may be shown to you**'". Hadhrat Hasan رحمه الله, Hadhrat Zuhri رحمه الله and Hadhrat Ibraheem Nakha'ee رحمه الله have stated that this verse refers to salaah."

Imaam Ahmad رحمه الله has stated, "People are unanimous about the fact that this verse refers to salaah."[4] Imaam Zaid bin Aslam رحمه الله and Hadhrat Abul Aaliya رحمه الله said, "Because some Sahabah ψ used to recite loudly when they followed Rasulullaah ρ in salaah, Allaah revealed the verse: **When the Qur'aan is recited, then listen attentively to it** *(stop talking)* **and remain silent so that mercy may be shown to you."** [5]

The *Tafseer* of Ibn Katheer (Vol.3 Pg.623) also quotes a narration stating that when Hadhrat Abdullaah bin Mas'ood τ heard some

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[1] The *Tafseer* of Ibn Katheer (Vol.3 Pg.623).
[2] The *Tafseer* of Ibn Katheer (Vol.3 Pg.623).
[3] *Ma'aalimut Tanzeel* with the *Tafseer* of Ibn Katheer (Vol.3 Pg.623).
[4] *Al Mughni* (Vol.1 Pg.601).
[5] *Al Mughni* (Vol.1 Pg.601).

people reciting as they followed the Imaam, he turned to them after the salaah and said, "Has the time still not arrived for you to understand the Allaah's command when He says: ' **When the Qur'aan is recited, then listen attentively to it and remain silent so that mercy may be shown to you**'".

The following is stated in the book *Al Ikhtiyaar*[1]: "A Muqtadi will not recite Qiraa'ah during the salaah because Allaah states: '**When the Qur'aan is recited, then listen attentively to it and remain silent so that mercy may be shown to you.**'". This is because Hadhrat Abdullaah bin Mas'ood τ, Hadhrat Abu Hurayrah τ and many Mufassireen state that the verse was revealed when some Sahabah ψ used to recite loudly when they followed Rasulullaah ρ in salaah.

The book *Zujaajatul Masaabeeh* (Vol.1 Pg.241) also quotes several narrations in this regard. All of the above make it clear that the Muqtadi should remain silent while the Imaam is reciting the Qiraa'ah in both audible and silent salaahs. The verse of the Qur'aan gives two explicit commands. The first is the command to listen attentively (to the recitation of the Imaam), which refers especially to the audible salaahs. The second is the command to remain silent (while the Imaam is reciting), which refers to both silent and audible salaahs.[2]

Ahadeeth on the subject

1. Hadhrat Abu Moosa Ash'ari τ says, "Rasulullaah ρ delivered a sermon in which he explained the Sunnah to us as well as the manner of performing salaah. He said, 'When you stand up for salaah, form your rows with one of you as the Imaam. When he calls out the Takbeer Tahreema, you also follow suit, but when he recites, you remain silent. Then, you say 'Aameen' when he recites:

[1] Vol.1 Pg.52.
[2] *Fat'hul Qadeer* (Vol.1 Pg.342).

This Hadith is narrated in Muslim (Vol.1 Pg.174). When one of Imaam Muslim رحمه الله's students asked him whether the narration of Imaam Sulaymaan Taymi رحمه الله was authentic, which states that Rasulullaah ρ added, "When he (the Imaam) recites, then you (the Muqtadi) remain silent." To this, Imaam Muslim رحمه الله replied, "Do you wish to know of someone with a memory better than Sulaymaan's?" This indicates that even though Imaam Sulaymaan رحمه الله was the only one to narrate the addition, his narration is perfectly authentic.[1]

In reality, however, there are other narrations of reliable narrators that are the same as that of Hadhrat Sulaymaan Taymi رحمه الله. Moulana Zafar Ahmad Thanwi رحمه الله has narrated a report from Sahih Abu Awaana, which is narrated from Abdullaah bin Rushayd, who then narrates from Abu Ubaydah (Mujaa'ah bin Zuhayr Atki), Qataadah, Yunus bin Jubayr, Hattaan bin Abdullaah Raqaashi and then Hadhrat Abu Moosa Ash'ari τ. This narration also states that Rasulullaah ρ said, "but when the Imaam recites, you remain silent. Then, you say 'Aameen' when he recites:

غَيرِ المَغضُوبِ عَلَيهِمْ وَلاَ الضَّالِّينَ

The narrator Abu Ubaydah رحمه الله is a reliable narrator and *Ansaab Sam'aani* states that the narrations of both Abdullaah bin Rushayd رحمه الله and Abu Ubaydah رحمه الله are reliable.

Daar Qutni has also reported the narration in his Sunan. In his narration, Umar bin Aamir and Sa'eed bin Abu Urwa رحمه الله have narrated from Qataadah رحمه الله a report like that of Sulaymaan Taymi رحمه الله. This narration also adds: "…but when the Imaam recites, you remain silent." Imaam Muslim رحمه الله narrates from Umar bin Aamir رحمه الله as well as from his student Saalim bin Nooh رحمه الله. Apart from Imaam Muslim رحمه الله, Imaam Aby Khuzaymah رحمه الله and Ibn Hibbaan رحمه الله also

[1] Muslim (Vol.1 Pg.174).

narrate from him. The belief of certain Muhadditheen that only Sulaymaan Taymi رحمه الله has reported the addition is therefore wrong. It has also been reports from three students of Qataadah رحمه الله, all of whom are reliable narrators.

2. The following is quoted from Nasa'ee: "Interpreting the verse '**When the Qur'aan is recited, then listen attentively to it and remain silent so that mercy may be shown to you.**'", Hadhrat Abu Hurayrah τ said, 'Rasulullaah ρ said, 'The Imaam has been appointed to be followed, so call out the Takbeer Tahreema when he does, be silent when he recites the Qiraa'ah and say "اللهم ربنا لك الحمد" when he says "سمع الله لمن حمده",'"[1]

3. Ibn Maajah narrates: "Hadhrat Abu Hurayrah τ narrates that Rasulullaah ρ said, ", 'The Imaam has been appointed to be followed, so call out the Takbeer Tahreema when he does, be silent when he recites the Qiraa'ah, say "آمين" when he says " غَيرِ المَغضُوبِ عَلَيهِمْ وَ لا الضَّالِين" and say "اللهم ربنا لك الحمد" when he says "سمع الله لمن حمده",'"[2]

   Both the narrations of Nasa'ee and Ibn Maajah are authentic. When a student of Imaam Muslim رحمه الله called Abu Bakr رحمه الله and asked him about the narration of Hadhrat Abu Hurayrah τ, he replied that it was authentic.[3] This Hadith makes it clear that the Muqtadi should not recite anything behind the Imaam. It has also become clear that the Hadith clarifies the verse **When the Qur'aan is recited, then listen attentively to it and remain silent so that mercy may be shown to you.**'".

4. Tirmidhi reports that Hadhrat Jaabir τ said, "Whoever performs a Rakaah without reciting the mother of the Qur'aan (Surah Faatiha) has performed no salaah unless he is behind an

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[1] Nasa'ee (Vol.1 Pg.93) and *Mishkaatul Masaabeeh* (Pg.81).
[2] Ibn Maajah (Pg.61).
[3] Muslim (Vol.1 Pg.174).

Imaam." Imaam Tirmidhi رحمه الله adds that the narration is *Hasan Sahih*.[1]

5. Imaam Tahaawi رحمه الله narrates the same Hadith from Rasulullaah ρ. He writes, "Hadhrat Jaabir τ reports that Rasulullaah ρ said, "Whoever performs a Rakaah without reciting the mother of the Qur'aan (Surah Faatiha) has performed no salaah unless he is behind an Imaam."[2]

   This narration mentions specifically that it is not Waajib (compulsory) for the Muqtadi to recite Surah Faatiha when following the Imaam.

6. The Mu'atta of Imaam Maalik رحمه الله states: "Hadhrat Naafi رحمه الله reports that when Hadhrat Abdullaah bin Umar τ was asked whether a Muqtadi should recite Qiraa'ah behind the Imaam, he replied, 'When any of you performs salaah behind an Imaam, the recitation of the Imaam suffices for him as well. However, when he performs salaah by himself, he should recite the Qiraa'ah.' Hadhrat Abdullaah bin Umar τ himself would not recite any Qiraa'ah when following an Imaam.[3]

   Zujaajatul Masaabeeh (Vol.1 Pg.251) states: "Allaama Ayni رحمه الله said, 'Hadhrat Abdullaah bin Umar τ would not recite the Qiraa'ah when following an Imaam and he was one who followed most closely in the footsteps of Rasulullaah ρ.'"

7. Ibn Maajah[4] reports from Hadhrat Jaabir τ that Rasulullaah ρ said, "If one has an Imaam, then the Qiraa'ah of the Imaam is his Qiraa'ah as well."

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[1] Tirmidhi (Vol.1 Pg.42).
[2] Tahaawi (Vol.1 Pg.107).
[3] *Mu'atta* of Imaam Maalik (pg.29) and *Mu'atta* of Imaam Muhammad (pg.75).
[4] Pg.61.

8. The *Musnad* of Imaam Abu Haneefah رحمه الله states[1]: "Hadhrat Jaabir τ reports that Rasulullaah ρ said, 'If one has an Imaam, then the Qiraa'ah of the Imaam is his Qiraa'ah as well.'"

9. The Mu'atta of Imaam Muhammad رحمه الله states[2]: "Imaam Abu Haneefah رحمه الله reported to us from Abul Hasan Moosa bin Abu Aa'isha رحمه الله, from Hadhrat Abdullaah bin Shaddaad رحمه الله, from Hadhrat Jaabir bin Abdullaah τ that Rasulullaah ρ said, "If one has an Imaam, then the Qiraa'ah of the Imaam is his Qiraa'ah as well."

10. *Zujaajatul Masaabeeh* (Vol.1 Pg.248) states: "Hadhrat Jaabir τ reports that Rasulullaah ρ said, 'If one has an Imaam, then the Qiraa'ah of the Imaam is his Qiraa'ah as well.' This has been narrated by Imaam Muhammad رحمه الله, Daar Qutni رحمه الله and Bayhaqi رحمه الله from our Imaam Abu Haneefah رحمه الله , a chain of narrators that is most authentic. In fact, Allaama Ibn Humaam رحمه الله has asserted that the narration conforms with the standards of authenticity used by Imaam Bukhaari رحمه الله and Imaam Muslim رحمه الله. Allaama Ayni رحمه الله says, "The narration is authentic. As for Imaam Abu Haneefah رحمه الله, he was after all, Imaam Abu Haneefah رحمه الله. Moosa bin Abu Aa'isha رحمه الله is amongst the reliable and dependable narrators from whom Bukhaari and Muslim narrate. Hadhrat Abdullaah bin Shaddaad رحمه الله was amongst the leading and most dependable scholars of Shaam. The narration is therefore Sahih."

11. The Mu'atta[3] of Imaam Muhammad رحمه الله quotes another narration as follows: "Hadhrat Abdullaah bin Shaddaad رحمه الله reports that Rasulullaah ρ once led the Sahabah ψ in Asr salaah. When one of the Sahabah ψ started to recite Qiraa'ah, the Sahabi τ beside him indicated to him to remain silent. When the salaah was over, the Sahabi τ asked, 'Why did you indicate to me to remain silent?' The other replied, 'Rasulullaah ρ was in front of

[1] Pg.133.
[2] Pg.77.
[3] Pg.78.

us and I did not want you to recite behind him. Overhearing this conversation, Rasulullaah ρ then said, 'If one has an Imaam, then the Qiraa'ah of the Imaam is his Qiraa'ah as well.'"

12. *Kitaabul Aathaar*[1] contains the following: "Hadhrat Jaabir τ reports that Rasulullaah ρ was leading the salaah when a Sahabi τ started to recite Qiraa'ah. Another Sahabi τ stopped him from reciting Qiraa'ah in salaah and a dispute arose between the two, with the first saying, 'Why do you prevent me from reciting Qiraa'ah behind Rasulullaah ρ?' When their dispute reached Rasulullaah ρ's ears, he said, 'If one has an Imaam, then the Qiraa'ah of the Imaam is his Qiraa'ah as well.' Imaam Muhammad رحمه الله says, 'It is this practice that we follow and such is the opinion of Imaam Abu Haneefah رحمه الله.

13. *Zujaajatul Masaabeeh* (Vol.1 Pg.250) reports from Hadhrat Ali τ that someone once asked Rasulullaah ρ, "Should I recite Qiraa'ah behind the Imaam or should I remain silent?" "No," Rasulullaah ρ replied, "you should remain silent because his Qiraa'ah suffices for you."

14. *Zujaajatul Masaabeeh* (Vol.1 Pg.250) reports another narration from Hadhrat Abdullaah bin Abbaas τ in which Rasulullaah ρ said, "The Qiraa'ah of the Imaam suffices for you, whether he recites silently or audibly." This narration is from Daar Qutni.

15. Muslim[2] reports from Hadhrat Abu Hurayrah τ that Rasulullaah ρ said, "When the Qaari (reciter of Qiraa'ah, viz. the Imaam) says, "غَيرِ المَغضُوبِ عَلَيهِمْ وَ لا الضَّالِين" and those following him say, "آمين", all their previous sins are forgiven if their "آمين" corresponds with the "آمين" of the angels."

    This Hadith refers to performing salaah in Jamaa'ah and refers only to the Qiraa'ah of the Imaam, making it apparent that it is only the Imaam who needs to recite. Had it been necessary for

[1] Pg.23.
[2] Vol.1 Pg.176.

the Muqtadi to recite Qiraa'ah, the Hadith would not have spoken about the Qiraa'ah of the Imaam only. The Hadith also indicates that the responsibility of reciting Surah Faatiha is that of the Imaam.

16. A narration of Bukhaari[1] reports from Hadhrat Abu Hurayrah τ that Rasulullaah ρ said, "When the Qaari (reciter of Qiraa'ah, viz. the Imaam) says 'Aameen', you also say 'Aameen' because the angels also says 'Aameen' and all the previous sins of a person are forgiven when his 'Aameen' corresponds with that of the angels."

    In this Hadith as well, the Qaari refers to the one who recites the Qiraa'ah, which is the Imaam only. If everyone needed to recite Qiraa'ah, Rasulullaah ρ would have said, "When you all say, "غَيرِ المَغضُوبِ عَلَيهِمْ وَ لا الضَّالِين", then say, "آمين".

    Apart from the above, there are several statements of the Sahabah ψ and Taabi'een and reports about them to support the stance of the Hanafis. We shall now present these.

Reports from the sahabah ψ

Hadhrat Moosa bin Aqaba رحمه الله says that Rasulullaah ρ, Hadhrat Abu Bakr τ, Hadhrat Umar τ and Hadhrat Uthmaan τ all prevented people from reciting Qiraa'ah when following the Imaam.[2]

Another narration from a Taabi'ee states that Hadhrat Umar τ took a pledge from the people that they would not recite Qiraa'ah when following the Imaam.[3]

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[1] Vol.2 Pg.947.

[2] Abdur Razzaaq (Vol.2 Pg.139), as quoted in *Zujaajatul Masaabeeh* (Vol.1 Pg.250).

[3] Abdur Razzaaq (Vol.2 Pg.138), as quoted in *Zujaajatul Masaabeeh* (Vol.1 Pg.251).

About Hadhrat Ali τ

Hadhrat Ali τ said, “The person who recites when following the Imaam is not upon *Fitrah*.”[1]

Hadhrat Ali τ also said, “The one who recites when following the Imaam conflicts with *Fitrah*.”[2]

About Hadhrat Abdullaah Bin Mas'ood τ

A man once approached Hadhrat Abdullaah bin Mas'ood τ and asked, “Should I recite Qiraa’ah when following an Imaam?” Hadhrat Abdullaah bin Mas'ood τ replied, “Remain silent because there are other things to occupy you when performing salaah (such as contemplating about the commands, promises and warnings in the Qur'aan). The Imaam will do the recitation for you.”[3]

Hadhrat Alqama bin Qais رحمه الله reports that Hadhrat Abdullaah bin Mas'ood τ would not recite Qiraa’ah when following an Imaam, regardless of whether the salaah was silent or audible and whether it was the first two Rakaahs or the second two Rakaahs. However when he performed salaah by himself, he would recite both Surah Faatiha and a Surah in the first two Rakaahs and only Surah Faatiha in the second two Rakaahs.[4]

About Hadhrat Abdullaah Bin Abbaas τ

[1] Tahaawi (Vol.1 Pg.107) and *Zujaajatul Masaabeeh* (Vol.1 Pg.251).
[2] Abdur Razzaaq (Vol.1 Pg.137).
[3] Abdur Razzaaq (Vol.2 Pg.138) and the *Mu’atta* of Imaam Muhammad رحمه الله (Pg.78).
[4] The *Mu’atta* of Imaam Muhammad رحمه الله (Pg.78).

Hadhrat Abu Hamza رحمه الله reports that he once asked Hadhrat Abdullaah bin Abbaas τ whether he should recite any Qiraa'ah when following the Imaam. "No," came the reply.[1]

About Hadhrat Abdullaah Bin Umar τ

1. Hadhrat Ibn Seereen رحمه الله reports that he once asked Hadhrat Abdullaah bin Umar τ whether he should recite any Qiraa'ah when following an Imaam. Hadhrat Abdullaah bin Umar τ replied, "You seem to have a large belly. The Qiraa'ah of the Imaam will suffice for you."[2]

2. Hadhrat Zaid bin Aslam رحمه الله says that Hadhrat Abdullaah bin Umar τ used to prevent people from reciting Qiraa'ah when following the Imaam.[3]

3. Hadhrat Naafi رحمه الله reports that when someone asked Hadhrat Abdullaah bin Umar τ about reciting Qiraa'ah behind the Imaam, he replied, "The Qiraa'ah of the Imaam will suffice for you."[4]

4. When someone once asked Hadhrat Abdullaah bin Umar τ about reciting Qiraa'ah behind the Imaam, he replied, "The Qiraa'ah of the Imaam will suffice for you."[5]

About Hadhrat Zaid Bin Thaabit τ

Hadhrat Ataa bin Yasaar رحمه الله narrates that when Hadhrat Zaid bin Thaabit τ was asked about reciting Qiraa'ah behind the Imaam, he replied, "Under no circumstances must a person recite when

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[1] Tahaawi (Vol.1 Pg.108).
[2] Abdur Razzaaq (Vol.2 Pg.140).
[3] Abdur Razzaaq (Vol.2 Pg.140).
[4] The *Mu'atta* of Imaam Muhammad رحمه الله (Pg.76).
[5] The *Mu'atta* of Imaam Muhammad رحمه الله (Pg.77).

following an Imaam." Imaam Muslim رحمه الله has also reported this narration.[1]

Hadhrat Dhakwaan رحمه الله reports that both Hadhrat Zaid bin Thaabit τ and Hadhrat Abdullaah bin Umar τ used to prohibit people from reciting Qiraa'ah behind the Imaam.[2]

Hadhrat Ataa bin Yasaar رحمه الله reports that he heard Hadhrat Zaid bin Thaabit τ say, "In no salaah should one recite Qiraa'ah behind the Imaam."[3]

About Hadhrat Jaabir Bin Abdullaah τ

Hadhrat Jaabir said, "Qiraa'ah behind the Imaam should neither take place in audible or silent salaahs."[4]

Hadhrat Ubaydullaah bin Muqsim رحمه الله asked Hadhrat Abdullaah bin Umar τ, Hadhrat Zaid bin Thaabit τ and Hadhrat Jaabir τ about reciting Qiraa'ah behind the Imaam. They all told him that in no salaah should a person recite Qiraa'ah behind the Imaam.[5]

When Hadhrat Ubaydullaah bin Muqsim رحمه الله asked Hadhrat Jaabir τ whether he recited Qiraa'ah behind the Imaam in the Zuhr and Asr salaahs, he replied in the negative.[6]

About Hadhrat Alqama Bin Qais رحمه الله

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[1] *Zujaajatul Masaabeeh* (Vol.1 Pg.251) and Muslim (Vol.1 Pg.251).
[2] Abdur Razzaaq (Vol.1 Pg.140).
[3] Tahaawi (Vol.1 Pg.108).
[4] Ibn Abi Shaybah, as quoted in *Zujaajatul Masaabeeh* (Vol.1 Pg.251).
[5] *Tahaawi (Vol.1 Pg.107).*
[6] Abdur Razzaaq (Vol.2 Pg.141).

Hadhrat Ibraheem Nakha'ee رحمه الله reports that Hadhrat Alqama bin Qais رحمه الله said, "I would prefer biting on a burning charcoal rather than reciting Qiraa'ah behind the Imaam."[1]

Hadhrat Ibraheem Nakha'ee رحمه الله reports that Hadhrat Alqama bin Qais رحمه الله never recited Qiraa'ah behind the Imaam regardless of whether the salaah was silent or audible, whether it was the second two Rakaahs, whether it was Surah Faatiha or any other Surah.[2]

About Hadhrat Muhammad Bin Seereen τ

Hadhrat Muhammad bin Seereen رحمه الله said, "As far as I know, reciting Qiraa'ah behind the Imaam is not Sunnah."[3]

About Hadhrat Suwayd Bin Ghafala τ

Hadhrat Waleed bin Qais رحمه الله reports that when he asked Hadhrat Suwayd bin Ghafala رحمه الله (an eminent Taabi'ee whom some even regard as a Sahabi) about reciting Qiraa'ah behind the Imaam in the Zuhr and Asr salaahs, he replied that it should not be done.[4]

About Hadhrat Ibraheem Nakha'ee رحمه الله

Hadhrat Mansoor رحمه الله reports that Hadhrat Ibraheem Nakha'ee رحمه الله said, "The first person to read Qiraa'ah behind the Imaam was someone against whom many accusations have been levelled (someone not perfectly reliable)."[5]

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[1] The *Mu'atta* of Imaam Muhammad رحمه الله (Pg.78).
[2] *Kitaabul Aathaar* (Pg.22).
[3] Ibn Abi Shaybah (Vol.1 Pg.377).
[4] Ibn Abi Shaybah (Vol.1 Pg.377).
[5] The *Mu'atta* of Imaam Muhammad رحمه الله (Pg.78)

Moulana Zafar Ahmad Thanwi رحمه الله writes that Hadhrat Ibraheem Nakha'ee رحمه الله was amongst the leading Fuqahaa of Kufa and the first person to start reciting Qiraa'ah behind the Imaam was most probably some Khaariji or Qadri. Whereas the people of Kufa always followed the teachings of Hadhrat Abdullaah bin Mas'ood τ and would not recite Qiraa'ah behind the Imaam, it was this person who introduced it to the people of Kufa. The statement of Hadhrat Ibraheem Nakha'ee رحمه الله does not however mean that the people of Makkah and Hijaaz who recited Qiraa'ah behind the Imaam were perpetrators of Bid'ah and people who stood accused of wrong.[1]

Apart from the above, there are many other narrations, which we have omitted.

Zujaajatul Masaabeeh states that the verse of the Qur'aan gives two explicit commands. The first is the command to listen attentively (to the recitation of the Imaam), which refers especially to the audible salaahs. The second is the command to remain silent (while the Imaam is reciting), which refers to the silent salaahs. It is this practice that has been adopted by Imaam Abu Haneefah رحمه الله and his companions and has been stated by Hadhrat Jaabir bin Abdullaah τ, Hadhrat Zaid bin Thaabit τ, Hadhrat Ali τ, Hadhrat Umar τ, Hadhrat Abdullaah bin Mas'ood τ, Hadhrat Sufyaan Thowri رحمه الله, Hadhrat Sufyaan bin Uyayna رحمه الله, Hadhrat Ibn Abi Layla رحمه الله, Hadhrat Hasan bin Saalih رحمه الله, Hadhrat Ibraheem Nakha'ee رحمه الله and the students of Hadhrat Abdullaah bin Mas'ood τ, together with other eminent Sahabah ψ and Taabi'een رحمه الله. This has been stated by Ibn Abdul Birr in his *Istidhkaar wat Tamheed*. Allaama Ayni رحمه الله has also reported that more than eighty eminent Sahabah ψ have prohibited people from reciting Qiraa'ah behind the Imaam and their names have bee cited by the Muhadditheen. Amongst them are Hadhrat Ali τ and the three Abdullaahs (Hadhrat Abdullaah bin Mas'ood τ, Hadhrat Abdullaah bin Umar τ and Hadhrat Abdullaah bin Abbaas τ). It has also been stated that more than eighty people issued Fataawaa to this effect during that period of time and their unanimity is on the status of Ijmaa. Imaam Abdullaah bin Ya'qoob

[1] *Faatihatul Kalaam* (Pg.41).

Haarithi Sabdhoomi رحمه الله writes in his book *Kashful Asraar* that Hadhrat Zaid bin Aslam τ said, "Ten Sahabah ψ of Rasulullaah ρ vehemently prohibited people from reciting Qiraa'ah behind the Imaam. They were Hadhrat Abu Bakr τ, Hadhrat Umar τ, Hadhrat Uthmaan τ, Hadhrat Ali τ, Hadhrat Abdur Rahmaan bin Auf τ, Hadhrat Sa'd bin Abi Waqqaas τ, Hadhrat Abdullaah bin Mas'ood τ, Hadhrat Zaid bin Thaabit τ, Hadhrat Abdullaah bin Umar τ and Hadhrat Abdullaah bin Abbaas τ."[1]

The book *Ikhtiyaar* states "A Muqtadi will not recite Qiraa'ah during the salaah because Allaah states: '**When the Qur'aan is recited, then listen attentively to it and remain silent so that mercy may be shown to you.**'". This is because Hadhrat Abdullaah bin Mas'ood τ, Hadhrat Abu Hurayrah τ and many Mufassireen state that the verse was explicitly revealed when some Sahabah ψ used to recite loudly as they followed Rasulullaah ρ in salaah. It has also been reported from Hadhrat Abu Hurayrah τ that Rasulullaah ρ said, 'The Imaam has been appointed to be followed, so be silent when he recites the Qiraa'ah.' Rasulullaah ρ also said, 'When a person follows an Imaam, the Qiraa'ah of the Imaam suffices for him.' Imaam Sha'bi رحمه الله has also reported that Rasulullaah ρ said, 'No Qiraa'ah should be recited when following an Imaam.'"[2]

***Rasaa'ilul Arkaan* (Vol.1 Pg.101) states that the Qiraa'ah of the Imaam suffices for the follower according to the Hanafi, Hambali and Maaliki schools of jurisprudence.** The proof stems from the Hadith of Hadhrat Jaabir τ in which Rasulullaah ρ said, "When a person has an Imaam, then the Qiraa'ah of the Imaam is his Qiraa'ah as well." This Hadith is *Sahih* (authentic) and has been narrated by Imaam Abu Haneefah رحمه الله. Imaam Muhammad رحمه الله has stated in his *Mu'atta* that Imaam Abu Haneefah رحمه الله has reported it to him and Ibn Adi رحمه الله has also reported it through his own chain of narrators from Imaam Abu Haneefah رحمه الله. Allaama Ibn Jowzi رحمه الله has ruled that the narration is *Sahih*. The details have been elaborated upon in *Fat'hul Qadeer* together with the chains of

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[1] *Zujaajatul Masaabeeh* (Vol.1 Pg.242).
[2] *Al Ikhtiyaar Lita'leelil Mukhtaar* (Vol.1 Pg.50).

narrators. Both chains of narrators end at Rasulullaah ρ, the one from Imaam Abu Haneefah رحمه الله being the more authentic of the two. Our practice in this matter has proven from the practices of eminent Sahabah ψ.

Haafidh Ibn Taymiyyah رحمه الله, whom the Ghayr Muqallideen claim to follow, writes, "The issue is a bone of contention from both camps, but those who prohibit reciting Qiraa'ah behind the Imaam are the majority of scholars form the past and the present. They have the Qur'aan and authentic Ahadeeth to back their claim whereas those who claim that it is Waajib (compulsory) for the Muqtadi to recite Qiraa'ah behind the Imaam have in their support Ahadeeth that the *A'immah* have declared to be weak."[1]

Tafseer Haqqaani reports a narration from Hadhrat Abu Hurayrah τ stating that after leading the salaah on one occasion, Rasulullaah ρ asked the Sahabah ψ if anyone had recited Qiraa'ah behind him. When the Sahabah ψ replied that someone did, Rasulullaah ρ remarked, "I did feel that someone was wrestling with me in reciting." From that day onwards, the Sahabah ψ no longer recited Qiraa'ah behind Rasulullaah ρ in the audible salaahs. Tirmidhi has declared the Hadith as *Hasan*. The same type of narration has been reported from Hadhrat Abdullaah bin Mas'ood τ, Hadhrat Imraan bin Husayn τ and Hadhrat Jaabir bin Abdullaah τ.

Muslim has also reported a narration in which Rasulullaah ρ said, "The Imaam has been appointed to be followed…" This Hadith adds that Rasulullaah ρ also said, "…so be silent when he recites the Qiraa'ah." Furthermore, Hadhrat Jaabir τ said, "Whoever performs a Rakaah without reciting the mother of the Qur'aan (Surah Faatiha) has performed no salaah unless he is behind an Imaam." This Hadith has been declared to be *Hasan Sahih*. Imaam Tahaawi رحمه الله has reported these words from Rasulullaah ρ and several Muhadditheen including Imaams Ahmad رحمه الله and Maalik رحمه الله have also reported it.

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[1] *Tanawwu'ul Ibaadaat* (Pg.86)

Apart from the above, there are sevral other narrations from Imaam Muhammad رحمه الله and Ibn Abi Shaybah رحمه الله substantiating the view that reciting Qiraa'ah behind the Imaam is prohibited. It is in view of all of this that Imaam Abu Haneefah رحمه الله has instructed Muqtadis to remain silent when following the Imaam. Hadhrat Abdullaah bin Mas'ood τ, Hadhrat Jaabir τ and Hadhrat Abdullaah bin Umar τ also did not recite Qiraa'ah behind the Imaam.

Imaam Shaafi'ee رحمه الله and other Muhadditheen have emphasised the recitation of Surah Faatiha. **However, they say that the Muqtadi will recite it only when the Imaam pauses after reciting it first.** They prove their opinion by quoting a Hadith in which Rasulullaah ρ said, "Whoever performs salaah without reciting the mother of the Qur'aan, his salaah will be incomplete." However, the Muhadditheen, especially Imaam Ahmad رحمه الله who is the Imaam of Muhadditheen state that this Hadith refers to the person who is performing salaah by himself and is not following an Imaam. When this is the meaning of the Hadith, it will therefore be implausible to assert that it restricts the purport of the verse of the Qur'aan, especially when Imaam Bayhaqi رحمه الله has stated that the verse was revealed with reference to salaah.[1]

Sheikhul Islaam Hadhrat Moulana Husayn Ahmad Madani رحمه الله says that there are several apparent points of rationale making the Hanafi point of view evident. The first is that there are no narrations stating without ambiguity that it is Waajib (compulsory) to recite Qiraa'ah behind the Imaam. Since this is an act that happens ever so often and is of such importance, the absence of a clear narration makes it evident that it is not Waajib (compulsory) for the Muqtadi to recite Qiraa'ah behind the Imaam.

The second point is that if reciting Qiraa'ah behind the Imaam was Waajib (compulsory), there needs to be a time within the salaah when he ought to be reciting. The Imaam would then be instructed when to pause his Qiraa'ah so that the Muqtadi may recite. There is however no such instruction mentioned. This proves that Qiraa'ah is

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[1] Tafseer Haqqaani (Vol.4 Pg.182).

not Waajib (compulsory) for the Muqtadi because why would the time not be mentioned for something that is compulsory when times are mentioned for things that are Mustahab, such as saying "ربنا لك الحمد" and "آمين".[1]

1. With regard to the Hadith of Hadhrat Ubaadah τ, Imaam Sufyana bin Uyaynah رحمه الله and Imaam Ahmad رحمه الله both state that it does not refer to the Muqtadi. The Hadith therefore does not apply to all people performing salaah and regarding it to be such will result in contradicting narrations such as "unless he is behind an Imaam" and "If one has an Imaam, then the Qiraa'ah of the Imaam is his Qiraa'ah as well." Adopting the approach of the Hanafis will prevent assuming such a contradiction because each Hadith will have an independent application; one referring to the Muqtadi and the other to the Munfarid.

2. Most of the Sahabah ψ and all of the A'immah maintain that the person who joins the Imaam only in Ruku has made it for the Rakaah. This is also established from a Hadith in which Rasulullaah ρ said, "If you come for salaah and find us in Sajdah, make the Sajdah but do not count it. As for the one who makes it for the Ruku, he has made it for the Rakaah."[2] Now the person joining only in the Ruku does not recite Surah Faatiha, yet even those who claim that Qiraa'ah behind the Imaam is Waajib say that the person has made it for the Rakaah. They are constrained to say this because of this clear-cut Hadith.

3. While people use the Hadith "There is no salaah for the one who does not recite the opening of the Kitaab (Surah Faatiha)" to substantiate their claim, this Hadith is reported with the addition of the words "and more". This means that there is no salaah for the one who does not recite Surah Faatiha and more (additional

[1] *Ma'aarife Madaniyyah* (Vol.5 Pg.106).
[2] Abu Dawood, as quoted in *Mishkaatul Masaabeeh* (Pg.102).

verses of the Qur'aan). This addition has been narrated by Imaam Muslim رحمه الله (Vol.1 Pg.169)[1].

Although some Muhadditheen say that the narrator Hadhrat Ma'mar رحمه الله is the only one who has reported the addition, they are mistaken because other reliable narrators have also reported it. Examples of such narrators are Hadhrat Sufyaan bin Uyayah رحمه الله in a narration of Abu Dawood, narrating from Imaam Zuhri رحمه الله. Hadhrat Saalih bin Kaysaan رحمه الله , Imaam Awzaa'ee رحمه الله, Hadhrat Abdur Rahmaan bin Is'haaq رحمه الله and others have also reported the same addition as Hadhrat Ma'mar رحمه الله.[2]

This addition is also substantiated in other Ahadeeth, such as a narration from Hadhrat Abu Sa'eed Khudri τ in which he states, "Rasulullaah ρ instructed us to recite Surah Faatiha and whatever else of the Qur'aan that is easy for us." Another narration states that Rasulullaah ρ said, "There is no salaah for the one who does not recite the opening of the Kitaab (Surah Faatiha) and some more."[3] The following narrations also reinforce this:

Hadhrat Abu Hurayrah τ reports that Rasulullaah ρ instructed him to announce that there is no salaah for the one who does not recite the opening of the Kitaab (Surah Faatiha) and some more.[4]

Hadhrat Abu Sa'eed Khudri τ narrates that Rasulullaah ρ said, "There is no salaah for the one who does not recite Surah Faatiha and a Surah in every Rakaah of the Fardh (obligatory) and other salaahs."[5]

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[1] *Mishkaatul Masaabeeh* (Pg.78)
[2] *Faatihatul Kalaam pg.58.*
[3] Abu Dawood (Vol.1 Pg.125).
[4] Abu Dawood (Vol.1 Pg.125).
[5] Ibn Maajah (Pg.61).

> The above narrations tell us that the recitation of Surah Faatiha together with another few verses of the Qur'aan should be Fardh (obligatory), whereas this is not the case even according to those who claim that reciting Qiraa'ah behind the Imaam is necessary. Now why would they practise on one part of the Hadith and forsake the other without any justification? This reinforces the viewpoint of the Hanafis that reciting Qiraa'ah is not necessary for the Muqtadi, but it is Waajib (compulsory) for the Imaam and the Munfarid to recite Surah Faatiha together with a Surah or a few verses of the Qur'aan.

The gist of it all is that it is wrong to claim that it is Waajib (compulsory) for the Muqtadi to recite Qiraa'ah behind the Imaam because just as the Sutrah of the Imaam suffices for the Muqtadi, so too does the Qiraa'ah of the Imaam suffice for the Muqtadi whether it be during audible or silent salaahs. It is therefore clear that it is wrong to claim that the view of the Hanafi Madh'hab is wrong.

It is believed that Hadhrat Imaam Shaafi'ee رحمه الله was of the opinion that it is Waajib (compulsory) for the Muqtadi to reciting Qiraa'ah behind the Imaam in all types of salaah. However, in his final and famous work *Kitaabul Umm*, he has the following to say: "It is Waajib (compulsory) for the Munfarid and the Imaam to recite Surah Faatiha in every Rakaah. No other Surah will suffice in its place. I also prefer that a verse or more of the Qur'aan be recited with it. I shall soon mention the ruling with regard to the Muqtadi, Inshaa Allaah."[1]

He then states the ruling of the Muqtadi in volume 7 when he says, "We state that the Muqtadi should reciting Qiraa'ah behind the Imaam in every salaah in which the Qiraa'ah of the Imaam cannot be heard."[2]

This statement of Imaam Shaafi'ee رحمه الله makes it apparent that it is incorrect for the Muqtadi to recite Surah Faatiha behind the Imaam

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[1] Vol.1 Pg.93.

[2] *Kitaabul Umm* (Vol.7 Pg.153).

when performing the audible salaahs. He has specified that Qiraa'ah be recited behind the Imaam only in the silent salaahs.

To compete the above reply, it is appropriate to cite the words of Hadhrat Moulana Idrees Kandhalwi رحمه الله , which will shed further light on the issue. While I had originally intended to give a brief reply to this question, the reply has become lengthy and although the following would add to the body of the reply, I have decided to include it because it is so beneficial. Had I seen this earlier, I would have sufficed by quoting it after a brief reply.
Hadhrat Moulana writes that according to Imaam Abu Haneefah رحمه الله, it is not permissible for the Muqtadi to recite Qiraa'ah behind the Imaam regardless of whether the salaah is silent or audible. It is by their deduction that Imaams Ahmad رحمه الله and Maalik رحمه الله differentiate between the silent and audible salaahs. As has been stated, the verse of the Qur'aan (**"When the Qur'aan is recited, then listen attentively to it and remain silent"**), it refers to both silent and audible salaahs. The Ahadeeth of Rasulullaah ρ exhorting silence and attentive listening do not differentiate between silent and audible salaahs. Rasulullaah ρ expressed displeasure at the Sahabah ψ's recitation behind him when it occurred during the Fajr salaah and also during the Zuhr salaah. He used the word "wrestling" as well as "confusing" when admonishing the Sahabah ψ for reciting Qiraa'ah behind him. **There was no differentiation between silent and audible salaahs.**

In fact, a report states that Rasulullaah ρ once led the Sahabah ψ in the Asr salaah. When one of the Sahabah ψ started to recite Qiraa'ah, the Sahabi τ beside him indicated to him to remain silent. When the salaah was over, the Sahabi τ asked, 'Why did you indicate to me to remain silent?' The other replied, 'Rasulullaah ρ was in front of us and I did not want you to recite behind him. Overhearing this conversation, Rasulullaah ρ then said, **'If one has an Imaam, then the Qiraa'ah of the Imaam is his Qiraa'ah as well.'"[1]**

[1] The Mu'atta of Imaam Muhammad رحمه الله

This means that there is no need for the Muqtadi reciting Qiraa'ah because the Imaam is already doing so. This is similar to the verse of the Qur'aan in which Allaah says: **"Does it not suffice for them that We have revealed the Book to you."** This tells us that when the Qur'aan suffices to guide mankind, there is no need for another scripture.

The above narration makes it evident that reciting Qiraa'ah behind the Imaam is an act that is disliked since Rasulullaah ρ endorsed the words of the Sahabi τ. This incident took place during the Asr salaah, which is a silent salaah, making it clear that the ruling does not change from salaah to salaah.

It is this what Hadhrat Jaabir τ stated in a Hadith that is authentic without any doubt. The same has been stated by Hadhrat Abu Dardaa τ when he quotes that Rasulullaah ρ said, "When the Imaam recites Qiraa'ah, it will certainly suffice for the Muqtadi."[1]

THE KHULAFAA RAASHIDEEN: Hadhrat Moosa bin Aqaba رحمه الله says that Rasulullaah ρ, Hadhrat Abu Bakr τ, Hadhrat Umar τ and Hadhrat Uthmaan τ all prevented people from reciting Qiraa'ah when following the Imaam.[2] Haafidh Ayni رحمه الله states that this narration is authentic.

HADHRAT UMAR τ: Imaam Muhammad رحمه الله quotes Hadhrat Umar τ as saying, "I wish that stones could be filled into the mouth of the person who recites Qiraa'ah behind the Imaam."

HADHRAT ALI τ: Hadhrat Ali τ said, "The one who recites when following the Imaam conflicts with *Fitrah*."[3]

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[1] Tabraani. The chain of narrators is authentic.

[2] Abdur Razzaaq (Vol.2 Pg.139), as quoted in *Zujaajatul Masaabeeh* (Vol.1 Pg.250).

[3] Ibn Abi Shaybah and Abdur Razzaaq (Vol.1 Pg.137).

We have thus far concentrated on research findings and examining narrations of Ahadeeth because the nature of the subject is one dealing with Fiqh and Ahadeeth.

The following is quoted from Nasa'ee: "Interpreting the verse '**When the Qur'aan is recited, then listen attentively to it and remain silent so that mercy may be shown to you.**'", Hadhrat Abu Hurayrah τ said, 'Rasulullaah ρ said, 'The Imaam has been appointed to be followed, so call out the Takbeer Tahreema when he does, be silent when he recites the Qiraa'ah and say "اللهم ربنا لك الحمد" when he says "سمع الله لمن حمده",'"[1] This Hadith makes it clear that it is Waajib (compulsory) for the Muqtadi to remain silent and to listen attentively to the recitation of the Imaam and it does not specify the silence for the Surah only.

A FINE POINT: A fine line of difference between the verse of Surah A'raaf and the Hadith is that while the Hadith speaks about remaining silent, the verse of the Qur'aan speaks about both remaining silent as well as listening attentively. This is because the Qur'aan is sometimes recited silently and sometimes audibly. The ruling when the Qiraa'ah is audible is to listen attentively and when it is silent, the ruling is to remain silent. The purpose of the verse is to expound the rulings applicable to Qiraa'ah, whereas the purpose of the Hadith is to expound the ruling with regards to the Muqtadi. It instructs the Muqtadi to remain silent regardless of whether the Qiraa'ah of the Imaam is audible or not and whether the Muqtadi is listening attentively or not. The Hadith therefore mentions only the instruction to remain silent, without any reference to attentive listening.

In fact, from the very beginning when salaah was made Fardh (obligatory) up to the time that Rasulullaah ρ passed away, it has always been the practice for the Imaam to recite the Qiraa'ah and for the Muqtadi to listen in silence. When some Sahabah ψ decided to recite Qiraa'ah behind Rasulullaah ρ out of their own discretion, they were prevented from doing so by the revelation of the verse "**When**

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[1] Nasa'ee (Vol.1 Pg.93) and *Mishkaatul Masaabeeh* (Pg.81).

the Qur'aan is recited, then listen attentively to it and remain silent so that mercy may be shown to you". Even when Rasulullaah ρ went to Masjidul Aqsa before leaving for the Mi'raaj, all the Ambiyaa عليهم السلام and the high-ranking angels waited for him to lead the salaah and none of them recited Surah Faatiha as Rasulullaah ρ recited the Qiraa'ah in salaah.

When someone did reciting Qiraa'ah behind Rasulullaah ρ, he asked, "It appears that some of you are reciting Qiraa'ah behind your Imaam?" It is therefore evident that Rasulullaah ρ never instructed or encouraged reciting Qiraa'ah behind the Imaam.

When Rasulullaah ρ was suffering his final illness, he had instructed Hadhrat Abu Bakr τ to lead the salaahs. As Hadhrat Abu Bakr τ was leading the Fajr salaah, Rasulullaah ρ was feeling a bit better and arrived in the Masjid. Hadhrat Abu Bakr τ then stepped back and Rasulullaah ρ proceeded to lead the salaah, continuing the Qiraa'ah from where Hadhrat Abu Bakr τ had left off.[1] Hadhrat Abu Bakr τ was then busy reciting a Surah. Rasulullaah ρ therefore did not recite Surah Faatiha in this final salaah that he led or any of the Qiraa'ah that Hadhrat Abu Bakr τ has already recited.

The Qiraa'ah of Hadhrat Abu Bakr τ sufficed for all, just as Rasulullaah ρ said, "If one has an Imaam, then the Qiraa'ah of the Imaam is his Qiraa'ah as well." There are therefore two types of Qiraa'ah according to this Hadith; *Qiraa'ah Haqeeqi* (actual Qiraa'ah) and *Qiraa'ah Hukmi* (Qiraa'ah that is not actual Qiraa'ah, but in shares the same status).

Therefore, if it is assumed that Rasulullaah ρ referred to both the Imaam and Muqtadi when he said, "There is no salaah for the one who does not recite the opening of the Kitaab", then it will be necessary to assume that it also refers to both the types of Qiraa'ah. According to this interpretation, the Qiraa'ah of the Muqtadi in this Hadith with refer to the *Qiraa'ah Hukmi* because Rasulullaah ρ said,

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[1] Ahmad (Vol.1 Pg.632) and Daar Qutni (Pg.153) in a narration from Hadhrat Abdullaah bin Abbaas τ.

"If one has an Imaam, then the Qiraa'ah of the Imaam is his Qiraa'ah as well." This *Qiraa'ah Hukmi* takes place when the Muqtadi remains silent and listens attentively to the Imaam. By remaining silent, the Muqtadi will therefore be practising on both the verse of the Qur'aan enjoining silence as well as the Hadith invoking *Qiraa'ah Hukmi*. As for the person who recites Qiraa'ah behind the Imaam, he will be guilty of acting in conflict with the verse of the Qur'aan as well as *wrestling* with the Imaam, which Rasulullaah ρ prohibited. Had Rasulullaah ρ ever instructed the Sahabah ψ to reciting Qiraa'ah behind the Imaam, he would never have reproached the Sahabi τ in question.

UPON FURTHER DELIBERATION: The purpose of Qiraa'ah is either to listen to the commands of Allaah or to engage in conversation with Allaah. If the former is the purpose, then the Imaam is Allaah's ambassador to convey the commands to the people and if it is the latter, then the Imaam is the people's representative before Allaah, who will present the supplications of the people to Him. It is obvious that an ambassador or a representative can be one person only. He will be the Imaam and the Muqtadis will say *Aameen* to his Qiraa'ah. As for the etiquette of worship which includes the Ruku, Sajdah, Tasbeeh and the other postures and acts of the salaah, these are necessary for both the Imaam and the Muqtadis. Representation is not applicable here because the purpose of these acts is to revere Allaah, which is incumbent on every individual. The plea for guidance to the straight path that is stated in Surah Faatiha is adequately presented by the Imaam who represents the entire congregation.

FURTHERMORE: A study of the Qur'aan and Ahadeeth will reveal that the salaah in Jamaa'ah is really a single salaah, which is the salaah of the Imaam. The salaah of the Muqtadis fall within his salaah. It is for this reason that if the Imaam's salaah is nullified, the salaah of the Muqtadis will be nullified, whereas an act on their part nullifying the salaah will not nullify the Imaam's and their salaah. Similarly, the Sutrah of the Imaam will suffice for the Jamaa'ah and preceding the Imaam in any posture is prohibited.

In fact, when the Qur'aan refers to salaah in Jamaa'ah, it refers to one salaah. Examples of this are the verses: **“When they stand up for salaah, they stand up lazily”** and **“When you present yourselves for the salaah, do not approach it in a drunken state”**. The singular use of the word salaah indicates that the salaah in Jamaa'ah is one. Therefore, if every Muqtadi has to reciting Qiraa’ah behind the Imaam, the salaah will not be one, but it will be several people performing their individual salaahs in one place. This then cannot be termed salaah in Jamaa'ah.

A narration from Hadhrat Abdullaah bin Abbaas τ[1] states that when Rasulullaah ρ used to lead the Sahabah ψ in salaah during their stay in Makkah, he would recite the Qur'aan loudly, hearing which the Mushrikeen used to swear at the Qur'aan and the One who revealed the Qur'aan. It was then that Allaah revealed the verse “**Do not recite** *(the Qur'aan)* **loudly in your salaah, nor softly, but seek a path in between these** *(two extremes)*”. This verse instructs the Imaam to recite in a manner that the Muqtadis can hear because it is their duty to listen and not to recite.

Explaining The Hadith Of Hadhrat Ubaadah τ

The strongest proof for reciting Qiraa’ah behind the Imaam (as stated by Imaam Shaafi’ee رحمه الله) is the Hadith of Hadhrat Ubaadah τ stating, “There is no salaah for the one who does not recite the opening of the Kitaab (Surah Faatiha).”

In response, the reply from Imaam Abu Haneefah رحمه الله will be that the Hadith in question does not specify the Muqtadi. On the other hand, the verse of Surah A’raaf (**When the Qur’aan is recited, then listen attentively to it and remain silent so that mercy may be shown to you**) was revealed with explicit reference to the Muqtadi. Furthermore, those Sahabah ψ who reciting Qiraa’ah behind Rasulullaah ρ were reprimanded.

[1] Bukhaari.

Now it is a principle with Imaam Shaafi'ee رحمه الله that a verse of the Qur'aan with an unspecified meaning may be made specific with a solitary narration of Hadith. It will therefore be obvious that a solitary narration of Hadith with an unspecified meaning may be made specific with a verse of the Qur'aan.

Furthermore, there are also several Ahadeeth that refer specifically to the Muqtadi. Amongst these is the Hadith 'When any of you performs salaah behind an Imaam, the recitation of the Imaam suffices for him as well." This narration is authentic and complies with the standards of authenticity as specified by Imaams Bukhaari رحمه الله and Muslim رحمه الله. It is therefore Apparent that the Hadith of Hadhrat Ubaadah τ refers to the Imaam and the Munfarid, as stated by the teacher of Imaam Shaafi'ee رحمه الله, Hadhrat Sufyaan bin Uyaynah رحمه الله and reported in the Sunan of Imaam Abu Dawood رحمه الله. Emphasising the same is the narration of Tirmidhi in which Hadhrat Jaabir τ said, "Whoever performs a Rakaah without reciting the mother of the Qur'aan (Surah Faatiha) has performed no salaah unless he is behind an Imaam."

Imaam Tirmidhi رحمه الله states that according to Imaam Ahmad رحمه الله (who taught Imaam Bukhaari رحمه الله), the Hadith of Hadhrat Ubaadah رحمه الله does not refer to the Muqtadi but to the person performing salaah by himself. He proves this by citing the above narration of Hadhrat Jaabir رحمه الله, which explains that Surah Faatiha is not to be recited if one is following an Imaam.

"Imaam Ahmad bin Hambal رحمه الله said, 'We have never heard anyone from the people of Islaam state that the Muqtadi's salaah is invalid when he does not recite Qiraa'ah as the Imaam does in the audible salaahs. This has never been stated by Rasulullaah ρ, the Sahabah ψ, the Taabi'een, Imaam Maalik رحمه الله from the people of Hijaaz, Imaam Thowri رحمه الله from the people of Iraq, Imaam Awzaa'ee رحمه الله from the people of Shaam or Imaam Layth bin Sa'd

رحمه الله from the people of Egypt. None has ever stated that the salaah of the follow is invalid when he does not recite Qiraa'ah."[1]

It has therefore been noted that none of the Sahabah ψ, Taabi'een or pious predecessors advocated reciting Qiraa'ah behind the Imaam in audible salaahs. In fact, Imaam Tirmidhi رحمه الله notes that Imaam Shaafi'ee رحمه الله had swayed too much to the extreme when he declared it Waajib (compulsory) for the Muqtadi to recite Qiraa'ah behind the Imaam. Even Imaam Ibn Taymiyyah رحمه الله has emphasised that it is not permissible and Haraam for a Muqtadi to recite Qiraa'ah behind the Imaam during audible salaahs. Those people in today's times who claim to be followers of the Ahadeeth (*Ahle Hadith*) should study the Fataawaa of Allaama Ibn Taymiyyah رحمه الله.

In a nutshell

The opinion of Imaam Abu Haneefah رحمه الله is extremely well substantiated by the Qur'aan and Ahadeeth. It also appeals perfectly with logic and common sense. One may refer to the detailed commentaries of *Hidaayah* and Bukhaari for the details.

WHERE DO PIOUS WOMEN PERFORM THEIR SALAAT

BY

Hadhrat Moulana Mufti Kifaayatullaah Dehlevi

[1] *Al Mughni* (Vol.1 Pg.564). See also (Vol.1 Pg.606) and *Fataawaa Ibn Taymiyyah* (Vol.2 Pg.141-150)

(May Allaah have mercy on him)
Grand Mufti of Hind.

"And (O Muslim Women) remain steadfast in your homes." (Surah Ahzaab)

"A woman is 'Aurah' when she emerges (from her home) shaitaan (lays in ambush) and surreptitiously follows her." (Tirmidhi)

A few days prior to the first of September 1997 someone sent a question to the Daarul Iftaa at Daarul Uloom Deoband:

"What is the Shar`i ruling regarding women performing Salaat in the Masjid with congregation? Is it permissible or not? Or do the Ulama-e-Kiraam merely prohibit it because of some cogent or underlying reason?"

The Daarul Iftaa had replied to the question according to their normal practice, but it appears that this reply of theirs did not suit the needs of the questioner. Either he or someone else had edited and doctored the original fatwa and published it. In fact, they had altered the fatwa to include the word *'Haraam'*. This gave rise to a furious debate and point of discussion in the local papers.

Many people asked me regarding the ruling of whether it is Haraam or not for women to come into the Masjid. I had replied: *No! There are many instances where women come and go through the Masjid, whilst in the state of cleanliness.*

The people then asked me regarding the fatwa which prohibits women from entering the Masjid. I informed them that this fatwa relates to the five times daily Salaat and specifically to women

attending the Masjid at night-time. This prohibition has been issued in order to prevent fitnah.

My 'interrogators' then stated that the Masjid is a place of sanctity and there can be no fear of fitnah therein. I informed them that the fitnah is not in the Masjid but rather when they leave their homes and whilst they are on the road. There is especially a greater fear if the Masjid is far away and if they have to walk at night. It is also virtually impossible that each woman who attends the Masjid is able to have a *mahram* to accompany her for all Salaats.

Salaat which is a great institution in Islaam needs to be protected and safeguarded, hence this fatwa and ruling has been transmitted throughout the ages by none other than the Sahaabah (radhiallahu anhum). This is no new ruling in Islaam.

Since the original fatwa of Daarul Uloom Deoband had not been properly afforded its due justice and the people have been left in a quandary regarding its actual purport, it is only proper that we apprise the public regarding the true facts and the proper Shar`i ruling regarding this matter.

Besides the fatwa in question the Daarul Uloom had also issued another more detailed fatwa on this issue, which we deem appropriate to publish.

Besides the fataawa of the Daarul Uloom, there is an excellent treatise on this subject by Mufti Kifaayatullah Saahib Dehlwi, entitled *Salaatus Saalihaat* (the Salaat of the pious women), which we have also included in our distribution drive.
In this little booklet of ours which is now in your hands, we have firstly written the two current fatwas of Daarul Uloom Deoband and after that the treatise by Mufti Kifaayatullah Sahib.

We have entitled the entire booklet, *Where Pious Women Perform Their Salaat*.

We trust that this treatise will enlighten all the readers to properly understand the situation at hand, thereby getting a clear understanding of the Shar`i viewpoint regarding the Salaat of women.

May Allaah Ta`ala make this booklet beneficial to all and make this a means of closing all doors to a pending fitnah.

Was Salaam
(Moulana) Marghoobur Rahmaan
Principal of Daarul Uloom Deoband
25 Jamaadul Ula 1418

The First Fatwa Of Daarul Uloom Deoband
(number 680)

Question: What is the Shar`i ruling regarding women performing Salaat in the Masjid with congregation? Is it permissible or not? Or do the Ulama-e-Kiraam merely prohibit it because of some cogent or underlying reason? Kindly furnish us with a detailed reply. Was Salaam

Reply (no. 527): Bismillahir Rahmaan nir Raheem

1. The wife of Hadhrat Abu Humaid Sa`idi (radhiallahu anhu), Hadhrat Umme Humaid (radhiallahu anha) came in the presence of Nabi (sallallahu alaihi wasallam) and asked, *"O Rasulullaah (sallallahu alayhi wasallam)! I desire to perform Salaat behind you (in congregation) in the Masjid (-e-Nabawi)."* Nabi (sallallahu alaihi wasallam) replied, *"You desire to*

*perform Salaat behind me, whereas your Salaat in the innermost corner of your home is better than your Salaat in your room, and your Salaat in your room is better than your Salaat in your courtyard and your Salaat in your courtyard is better than your Salaat in the Masjid of your village and your Salaat in your local Masjid is better than your Salaat in my Masjid (i.e. Masjid-e-Nabawi). "*Thereafter she made herself a place for performing her Salaat in the darkest and innermost corner of her home. [Ahmad / Ibn Hibbaan / Ibn Khuzaima / Targheeb wa Tarheeb, page 58]

2. Hadhrat Umme Salma (radhiallahu anha) reports that Rasulullaah (sallallahu alayhi wasallam) said, *"A woman's Salaat in the inner most corner of her house is better than her Salaat performed in her room and it is better for her to read in her room than in her veranda and it is better for her to read Salaat in her house than in her local Masjid."* [Ibid]

3. Hadhrat Aaishah (radhiallahu anha) reports that if Rasulullaah (sallallahu alayhi wasallam) had seen the condition of the women after his passing away then he would surely have prevented them from attending the Masjid just as the women of Bani Israeel were prevented from entering the Masjid. [Muslim Shareef, vol.1 page 183]

4. Hadhrat Abu Amr Shaibaani (rahmatullahi alaih) reports that he personally witnessed Hadhrat Abdullah ibn Mas'ood (radhiallahu anhu) ejecting women from the Masjid on the day of Jumu'ah, saying to them, *"You people go and read Salaat in your homes. Your Salaat performed at home is better for you."* [Tibraani / Majmauz Zawahid, vol.1 page 156]

All four of the above narrations are authentic and it is clear from them that although the reward of performing Salaat in Masjid-e-Nabawi is fifty thousand times greater, the Salaat of a woman performed in her local Masjid warrants greater reward for her, and her salaah performed in her own home is more rewarding than even this. Furthermore, her Salaat which she performs in the innermost corner of her house bears more reward for her than that Salaat which is performed in the veranda or any room in her house.

Added to this are the explicit prohibitions of women performing Salaat in the Masjid which is borne out by the narration of Hadhrat Aaishah (radhiallahu anha) and the action of Hadhrat Abdullah ibn Mas'ood (radhiallahu anhu) where he had ejected women from Masjid-e-Nabawi.

Another point to remember is that Allaah Ta`ala has excluded women from leadership posts, Imaamat, Prophethood, Khilaafat and congregational Salaat. All these posts are exclusive to men. From these Ahaadith it is abundantly clear that Salaat in congregation has not been ordained for women, however, if a woman performs Salaat behind a man her obligation of Salaat will be fulfilled. For example the Shariah has not ordained that women go for Hajj without a mahram, but if a woman does go for Hajj without a mahram then the Fardh obligation of Hajj will be fulfilled.

Similarly if a woman attends her local Masjid for Salaat then although she will be deprived of great rewards, the obligation of Salaat will be fulfilled. The Fuqahaa have ruled that it is Makrooh-e-Tahrimi for women to attend the Masjid to perform Salaat.

Nevertheless, this prohibition has been passed so that women not be deprived of full reward. Another wisdom is that they be saved from *fitnah and fasaad* which is inherent with their emergence from the home, because as soon as a woman leaves the bastion of her home shaitaan lays in ambush and surreptitiously follows her around. This is according to the blessed words of Nabi (sallallahu alaihi wasallam).

Was-Salaam
Habeebur Rahmaan (May Allaah Ta`ala have mercy on him)
29th Rabiuth Thaani 1418

The Second Detailed Fatwa Of Daarul Uloom Deoband [No. 781]

Question:

Is it obligatory or Sunnatul Muakkadah for women nowadays to attend a Masjid for congregational Salaat with the men? Kindly reply in the light of the Qur`aan Majeed and Hadith.

Answer No [631]:

Bismillahir Rahmaanir Raheem

It is neither Fardh, Waajib, nor Sunnat-e-Muakkadah for women to attend the Masjid for the five times Salaat in congregation with men. **The fact of the matter is that there exists not even the weakest of weak Ahaadith which exhorts and encourages women to attend the Masjid.** In fact, the Shariah has not made it binding upon women to attend the Masjid like it has for men. Like it is narrated in Musnad Ahmad bin Hambal (rahmatullah alayh) from Hadhrat Abu Hurairah (radhiallahu anhu) that Nabi (sallallahu alayhi wasallam) said, *"Had it not been for the women and children in the homes, I would establish the Esha Salaat and instruct the youth to burn down those homes of the men who are not in the Masjid."*

This Hadith clearly proves that women are not ordained by the Shariah to attend the Masjid for Salaat, otherwise they would also have been included in Nabi's (sallallahu alayhi wasallam) chastisement like the men in the aforementioned Hadith. In fact, had it not been because of them (women) and children, the houses whose male occupants do not attend the Masjid for Salaat would have been burnt down.

Also, it has been reported in many Ahaadith that the Salaat of women in the innermost corner of their houses are the best. To such an extent that Nabi (sallallahu alayhi wasallam) even stated in one Hadith that the Salaat of women in their homes is better than their Salaat in Masjid-e-Nabawi. Ibn Khuzaimah has established a chapter specifically discussing this issue in his Saheeh, and he has made it crystal clear that the reward for Salaat performed in Masjid-e-Nabawi is reserved for men and not women. [See Ibn Khuzaima, vol. 3, page 94, chapter 177]

The reward for women is proportionate to the extent of their seclusion and concealment from men.However there are such narrations wherein Nabi (sallallahu alayhi wasallam) said that if women request permission to attend the Masjid then they should not be prevented. There are also Ahaadith wherein Nabi (sallallahu alayhi wasallam) said that if women request attending the Musaajid at night (for Esha Salaat) then they should not be prevented. Some narrations state that when women emerge then they should not wear perfume. There are those who, when their eyes fall on such narrations, jump about and celebrate, and classify the attendance of women in the Masjid as being Sunnat-e-Muakkadah. This they do even if they do not practice upon it. **Such narrations merely grant consent and show some level of permissibility for women to attend the Masjid for Salaat.** They do not receive any special reward neither are they exhorted to attend.

This consent was also only restricted to the need of the time, so that the women also perform Salaat behind Nabi (sallallahu alayhi wasallam) and be eye-witnesses to his manner of conduct. This has been stated so in *Ash-atul Lam`aat*, the *Sharah* of Mishkaat. (This motivation - for women to attend the Masjid - no longer exists).
Now have a look at those narrations which are the cause of the majority of the Fuqahaa of Islaam ruling that women are not allowed to attend the Masjid for congregational Salaat. That is, the initial consent and permissibility that existed during sacred the era of Nabi (sallallahu alayhi wasallam) no longer exists.

In this regard, Hadhrat Aishah (radhiallahu anha) states: *"Had Nabi (sallallahu alayhi wasallam) witnessed the condition of the women (today – i.e. during her era), he would most certainly have prohibited them from the Masaajid like the women of the Bani Israeel were prohibited."* [Bukhaari Shareef]

This Hadith is accepted by all the Muhadditheen as being authentic. This makes clear that immediately after the era of Nabi (sallallahu alayhi wasallam), the condition of the women deteriorated considerably, such that if he had been alive, he would most certainly have prevented women from attending the Masjid like the women of the Bani Israeel were prevented from attending the Masaajid when the evil habits, practices and immorality became rampant.

This ruling, albeit directed at the women of the Bani Israeel, has not been abrogated in our Shariah. The prohibition of women attending the Musaajid can thus be taken to be from Allaah Ta`ala and His Rasool (sallallahu alaihi wasallam), because the present-day immorality and mischief far supersedes that of the former times. This fact cannot be disputed by anyone. This is the very reason why the Sahaabah (radhiallahu anhum) prevented the women from attending the Musaajid, because they saw the immorality creeping in. They then, introduced the un-abrogated ruling which pertained to the women of the Bani Israeel. Therefore the prevention of women from attending the Musaajid, which was ruled by the Sahaabah (radhiallahu anhum), was done in accordance to the desire of Allaah Ta`ala and according to the teachings of His Rasool (sallallahu alaihi wasallam).

All the four Imaams of Fiqh, all the Muhadditheen and Fuqahaa, in fact, the majority of the Ummat are unanimous that due to the present-day immorality and mischief, it is impermissible for women to attend the Musaajid for the Fardh Salaat. And Allaah Ta`ala knows best.

Habeebur Rahmaan (May Allaah Ta`ala have mercy on him).
17/05/1418

[This Fatwa was attested to by the following Muftis: Nizaamuddeen, Muhammad Zafeerud Deen, Mahmood Bulandshari. Muhammad Abdullah Kashmeeri, Kafeelur Rahmaan]

THE TREATISE ON THE SALAAT OF PIOUS WOMEN

Bismillahir Rahmaanir Rahim

In Sha'baan 1334 A.H. someone presented a question to this insignificant writer asking whether it is permissible or not for women to attend lecture gatherings.

The questioner was a Hanafi, therefore we have replied in accordance to the Hanafi Math-hab. We deem the presentation of the Hanafi Fuqaha texts as being sufficient. As it is the answer is fairly lengthy. This is the reason why it has been prepared into the form of a treatise, entitled, كف المومنات عن حضور الجمعاعات *"The prohibition of women attending public lectures and gatherings."* Haaji Abdurrahmaan Saheb has kindly printed and distributed the same [The original Urdu Kitaab was printed in 1334 A.H. and is extremely scarce. Their exists only one copy in the library of Darul Uloom Deoband – *Translator's note: The English translation of this Kitaab is presently available*.]

I would like to clarify at this juncture that I have not prepared the treatise of كف المومنات on the basis of any anmity or animosity. In fact I do not waste my time in getting myself involvled in unnecessary arguments and debates which eventually leads to animosity. I had been asked a question and simply replied it in the light of the Hanafi Math-hab citing various Hanafi references.

However today, on the 11th of Zul-Qa'dah 1334 A.H. I was made aware of a treatise entitled *Eid Ahmedi*. Its author is some Molvi Abdus Sattaar Saheb Kalaanuri, who has not only criticized and severely disparaged the author of كف المومنات, namely this humble writer, but also our great Ulama such Allaamah A'ini and other senior Hanafi Aimmah. He accused all of them as having acted contrary to the Hadith, he claimed that they did not understand the import of the Ahaadith, that they slandered Hadhrat Aishah (radhiallahu anha), etc., etc.

All said and done, if one merely peruses the book *Eid Ahmedi* from beginning to end then you will not find any such single line or argument worthy of an intelligent reply to what we have written in كف المومنات.

Although the Ahle-Ilm regarded *Eid Ahmedi* as being worthless and not of any consideration, nevertheless, in order to save the Muslim public from being ill-informed and labour under the misconception that the Hanafi stance on the issue of the prohibition of women emerging from their homes being a baseless issue and not one enjoined by the Shariah, I deemed it appropriate to clarify this mas'alah in greater detail, by presenting clear and authentic proofs from the Ahaadith of Nabi (sallallahu alaihi wasallam), the Sahaabah (radhiallahu anhum) and the Salf-e-Saaliheen.

I had prepared this treatise in order to clarify the actual mas'alah. I have hope that the Ahle-Ilm and intelligent people benefit from it and become informed and aware of the reality.

It is clear that the Hanafi Aimmah do not dispute the fact that during the era of Rasulullaah (sallallahu alayhi wasallam) the women would attend the Masjid for the five daily Salaat and the Eid Salaat. They would announce acceptance of this fact from the rooftops. It would however not be of any benefit to debate and oppose the Hanafi Fuqaha by only citing the Ahaadith pertaining to this issue which occurred during the era of Nabi (sallallahu alaihi wasallam).

The issue at hand and the point of contention is whether this ruling still applies at this day and age or not? We have written this treaty and discussed the issue in separate chapters.

Chapter One

Has the Shariah emphasized the attendance of women for congregational Salaat as it has done for men?
There is no Hadith which can be presented that may establish congregational Salaat as being emphasized for women. We have studied and scanned through many Ahaadith Kitaabs and their commentaries and have not found any such Hadith which exhorts and emphasizes women to attend congregational Salaat.

In fact we have come across narrations which teach the contrary.

Hadith 1

Hadhrat Abu Hurairah (radhiallahu anhu) reports that Rasulullaah (sallallahu alayhi wasallam) said, *"**Had it not been for the women and children in the homes,** I would establish the Esha Salaat and instruct the youth to burn down those homes of the men who are not in the Masjid."* [Ahmed / Mishkaat]

Nabi (sallallahu alaihi wasallam) issued this warning referring to those men who do not attend the Esha Salaat with Jamaat. Every intelligent person will understand from this Hadith that Nabi (sallallahu alaihi wasallam) was referring to only the men who do not attend congregational Salaat. The only factor preventing Nabi (sallallahu alaihi wasallam) from instructing the burning of the homes was the fact that there were women and children in the homes.

The mentioning of women by Nabi (sallallahu alaihi wasallam) in this Hadith only proves and substantiates the contention that women are not obligated by the Shariah to attend congregational Salaat.

Otherwise there would have been included in Nabi's (sallallahu alaihi wasallam) chastisement.

Their presence in the home would not have been a barrier against Nabi (sallallahu alaihi wasallam) carrying out his threat. Since they are not enjoined by the Shariah to attend congregational Salaat in the Masjid like the men, they were not regarded as offenders against the Shariah by not being in the Masjid.

Similarly, all the Ahaadith which appear in chapter two prove the point that it is not necessary or incumbent for women to attend the Masjid for congregational Salaat.

Chapter Two

Is it more virtuous and rewarding for women to perform Salaat in their homes or in the Masjid?

Hadith 2

Hadhrat Umme Salmah (radhiallahu anha) reports from Nabi (sallallahu alaihi wasallam) that he said, *"The best Musaajid for women are the innermost corner of their homes."* [Imaam Ahmad / Baihaqi / Kanzul Ummaal]

Hadith 3

Hadhrat Umme Salmah (radhiallahu anha) reports that Nabi (sallallahu alaihi wasallam) said, *"A woman's Salaat in the **innermost corner** of her house is better than her Salaat performed in **her room** and it is better for her to read in her room than in **her veranda** and it is better for her to read Salaat in her house than in **her local Masjid.**"* [Tibraani / Kanzul Ummaal / Targheeb]

Hadith 4

It is reported from Umme Humaid, the wife of Abi Humaid As-Saa`idi from Nabi (sallallahu alaihi wasallam) that he said to her, *"I have been informed that you like to perform Salaat behind me, but your*

*Salaat in **the innermost corner** of your house is better than your Salaat performed in **your room** and it is better for you to read in your room than in **your veranda** and it is better for you to read Salaat in your house than in your local Masjid and your Salaat performed in your local Masjid is better than your Salaat performed **in my Masjid.**"* [Imaam Ahmad / Ibn Hibbaan / Kanzul Ummaal]

Hadith 5

This Hadith has been cited in *Majma`uz Zawaahid* by Haithami and the following had been added: *She ordered (her house-people) to build for her a place to perform Salaat in the darkest and innermost corner of her home. She would perfrom her Salaat therein, until she met Allaah Ta`ala.* Haithami adds, *The narrators in this Hadith are all authentic, except for Abdullaah bin Suwaid Al-Ansaari, however Ibn Hibbaan had authenticated him.*

Hadith 6

Hadhrat Abdullaah ibn Mas'ood (radhiallahu anhu) reports that Rasulullaah (sallallahu alayhi wasallam) said, *"The Salaat of a women in the corner of her home is better than her Salaat in her room. And her Salaat in the chamber (smallest room) is better than her Salaat in the corner of her house."* [Abu Dawood]

Hadith 7

Hadhrat ibn Mas'ood (radhiallahu anhu) states, *"The Salaat of a women in the corner of her house is better than her Salaat in her room and the Salaat in her room is better than the Salaat in the courtyard and the Salaat in her courtyard is better than the Salaat anywhere else (beyond the confines of the home)."* He further stated, *"Indeed when a women emerges from her home, shaitaan surreptitiously pursues her."* Reported by Tibraani in Kabir and all the narrators are authentic. [Majma'uz Zawaahid]

Hadith 8

It is also reported from Hadhrat Ibn Mas`ood (radhiallahu anhu) that he takes an oath, a firm oath, saying, *"There is no better place to perform*

Salaat for a woman than the corner of her home, except Hajj and Umrah, besides for that woman who has lost hope on a husband, and she is 'munqaleen'" someone asked him what *'munqaleen'* meant, to which he replied, *"An old, weak and stumbling woman."* Tibraani reports this narration in Kabeer and all the narrators are authentic. [Majmauz Zawaahid]

Hadith 9

Hadhrat Ibn Mas`ood (radhiallahu anhu) also stated, *"No woman performs a Salaat more beloved to Allaah Ta`ala than (the Salaat which she performs) in the darkest corner of her home."* Tibraani reports this narration in Kabeer and all the narrators are authentic. [Majmauz Zawaahid]

Hadith 10

Hadhrat Abdullaah Ibn Mas`ood (radhiallahu anhu) reports that Nabi (sallallahu alayhi wasallam) said, *"Women are aurah (objects of concealment). Indeed when they emerge (from their homes), shaitaan (lies in ambush and) surreptitiously follows her. Indeed, she is closest to Allaah Ta`ala in the innermost corner of her home."* Tibraani reports this narration in Kabeer and all the narrators are authentic. [Majmauz Zawaahid]

Hadith 11

It has been reported from Hadhrat Abdullaah Ibn Mas`ood (radhiallahu anhu) that he said, *"Indeed women are aurah. Indeed that woman who emerges from the home who has no flaw, shaitaan surreptitiously follows her, saying: 'You will not pass by anyone except that they will admire you.' When a woman dons her clothing and it is asked of her: 'Whither are you off to?' She will reply: 'I am going to visit the ill, or attend a burial or perform Salaat in the Masjid.' No woman can worship her Rabb better than in her home."* Tibraani reports this narration in Kabeer and all the narrators are authentic. [Majmauz Zawaahid]

The following salient points are clearly gleaned from the above-mentioned Ahaadith:

1. **There is no emphasis in the Shariah for women to attend the Masjid for congregational Salaat.** In fact, the contrary holds true that their Salaat performed at home is more virtuous. [Have a look at all the above Ahaadith.]

2. The attendance of women in the Masjid during the era of Nabi (sallallahu alayhi wasallam) **was primarily due to consent and permissibility, and not owing to any virtue, emphasis or *istihbaab* (being Mustahab).** [Look at Hadith no. 4 and 5]

3. Notwithstanding the consent granted to women to attend the Masjid, Nabi (sallallahu alayhi wasallam) actually **exhorted and taught that it is better and more virtuous that they perform their Salaat at their homes.** He would greatly encourage this and extol the virtues thereof. [See Hadith 4]

4. The addition which appears in Hadith 4 by Haithami, clearly indicates that Hadhrat Umme Humaid (radhiallahu anha) practiced on the advice of Nabi (sallallahu alayhi wasallam) and performed her Salaat in the corner of her home for the rest of her life. This was true obedience to the guidance of Nabi (sallallahu alayhi wasallam) and fulfilment of his wishes.

5. Hadith 10 clearly establishes the fact that Nabi (sallallahu alayhi wasallam) **deemed the emergence of women from their homes as an avenue and opening of *fitnah*,** and that their isolation in the innermost corners of their homes as being proximity to Allaah Ta`ala. This is the reason why Hadhrat Ibn Mas`ood (radhiallahu anhu) takes a firm oath that the Salaat of women in the corners of their homes is the most virtuous.

6. The statements of Nabi (sallallahu alayhi wasallam) in Hadith 2, 3 and 4 clearly indicate that the Salaat of women in the remote corners of their homes is better than their Salaat in their rooms, and their Salaat in their rooms is better than their Salaat in their courtyards, and their Salaat in their courtyards is better than their Salaat in their local Masjid and their Salaat in their local Masjid is better than their Salaat in

Masjid-e-Nabawi (sallallahu alaihi wasallam). Keeping these Ahaadith in before us, it is clear that the attendance of women for congregational Salaat in the Masjid during the era of Nabi (sallallahu alayhi wasallam) was not due to any virtue or greater reward, rather it was based on mere consent and permissibility. How sad then is the state of those people who call women to the Musaajid and encourage them to perform their Salaat in congregation. **They are actually exhorting opposition to the teachings and wishes of Nabi (sallallahu alayhi wasallam).** To further exacerbate the issue they deem this a Sunnat, and they regard their actions as being a revival of the Sunnat! If it had been Sunnat for women to attend the Masjid for congregational Salaat, why then did Nabi (sallallahu alayhi wasallam) teach that a woman's Salaat in her local Masjid is better than her Salaat in Masjid-e-Nabawi and that her Salaat in her home is better than her Salaat in her local Masjid? It is obvious then that a woman's Salaat performed in isolation in her home would be an omission of the Sunnat. Is the reward in practising a Sunnat greater or omitting it? It will then be as though Nabi (sallallahu alayhi wasallam) is encouraging an omission of a Sunnat by encouraging women to perform their Salaat in their homes! It is as though these people (who clamour for women attending the Masjid) regard themselves as being more virtuous than Nabi (sallallahu alayhi wasallam) and that their Musaajid hold greater virtue than Masjid-e-Nabawi!

7. One Salaat performed in Masjid-e-Nabawi is, according to the narration of Hadhrat Anas (radhiallahu anhu), equal to the reward of 50 000 Salaat (performed anywhere else, besides the Haram).

Hadith 12

Hadhrat Anas bin Maalik (radhiallahu anhu) reports that Rasulullaah (sallallahu alayhi wasallam) said, *"The Salaat of a man in*

his house is equal to a single Salaat…and his Salaat in my Masjid is equal to 50 000 Salaats." [Ibn Majah / Mishkaat Shareef]

Notwithstanding the great reward of performing Salaat in Masjid-e-Nabawi, the Salaat of women performed in their local Musaajid is more rewarding for them, and their Salaat performed in the courtyard of their homes is more rewarding than even their Salaat in their local Musaajid. Their Salaat in their rooms holds more virtue for them than their Salaat in their verandas and their Salaat in the remote corner of their homes bears more reward for them than their Salaat in their rooms.

This much is abundantly clear that as a woman sheds her concealment, her reward is proportionately decreased. Why is this? The reason is simple – the further a woman goes from her home, the greater the possibility of fitnah increases. There is no other reason for the decrease in reward for women. Just take a look…when a man travels further from his home, his reward increases, because there is no fear of fitnah in his emergence from the home.

Hadith 13

Hadhrat Abu Moosa Ash`ari (radhiallahu anhu) reports that Rasulullaah (sallallahu alayhi wasallam) said, *"Those who receive the greatest reward for their Salaat are those who travel the furthest (to the Masjid) and more than them are those who travel an even greater distance."* [Bukhaari Shareef / Muslim Shareef]

Hadith 14

Hadhrat Jaabir (radhiallahu anhu) reports that Rasulullaah (sallallahu alayhi wasallam) said to Bani Salmah who intended moving closer to the Masjid, *"Remain in your places. You are being rewarded for every step you take (towards the Masjid). Remain in your places. You are being rewarded for every step you take (towards the Masjid)…"* [Muslim Shareef]

The consent and permissibility granted to women to attend the Masjid was not without conditions. They were forbidden from wearing perfume, donning gaudy clothing, excessive jewellery, etc.

Refer to the following Ahaadith:

Hadith 15

Hadhrat Zainab Thaqafiya (radhiallahu anha) reports that Nabi (sallallahu alayhi wasallam) said, *"When a woman emerges for Esha Salaat, then she should not apply scent."* [Ibn Hibbaan]

Hadith 16

Hadhrat Zainab Thaqafiya (radhiallahu anhu) further reports that Nabi (sallallahu alayhi wasallam) said, *"When any of you women present yourself for Esha Salaat, then you should not don perfume that night."* [Muslim]

Hadith 17

Hadhrat Zainab (radhiallahu anhu), the wife of Abdullaah reports that Nabi (sallallahu alayhi wasallam) said to the women, *"When any of you present yourself in the Masjid, then you should not don perfume."* [Muslim Shareef]

Hadith 18

Hadhrat Abu Hurairah (radhiallahu anhu) reports that Rasulullaah (sallallahu alayhi wasallam) said, *"Do not prevent the female slaves of Allaah from attending the Masjids of Allaah, but they should emerge (from their homes) in the state that their bodies are pungent."* [Abu Dawood]
The Arabic word, *tafilaat* which is used in this Hadith means unscented. A woman is described as *tafilatun* when her body exudes an unscented (pungent) odour. This has been stated by Ibn Abdil Barr, etc. Shaukaani states that the word *tafila* refers to a stench. A woman who is described as *imra`atun tafilatun* means that she is unscented. [Aunul Ma`bood] All such factors are included under the term scented which leads to attraction, like smart gaudy clothing, external display of jewellery, and a pompous exhibition of beauty. [ibid.]

All these narration clearly show that women were permitted to attend the Masjid, provided they adhered to these conditions. It is

also clear that if they do not practice on these advices they are acting contrary to the injunctions of Nabi (sallallahu alayhi wasallam).
Can it honestly be said that the women of today who may attend the Masjid for the five daily Salaat or for the Eid Salaat, would adhere to these conditions? Will they not come out in their splendour and beauty? Will they not wear and make a display of their jewellery? Will they ever be able to come in their scruffy unscented clothes?
If anyone, for argument sake, says that a woman can adhere to all these conditions, in present times, then we would kindly refer our readers to peruse chapter 3 in this treatise.

Summary

Any intelligent person who studies all these narrations will have no doubt that the attendance of women in the Masjid during the time of Nabi (sallallahu alayhi wasallam) was merely due to consent and permissibility. It was not because of any special virtue or reward.
Nevertheless, the so-called adherents of the Hadith who have sprung up in recent times, understand that women are supposed to attend the Masjid for congregational and Eid Salaat. They deem it a Sunnat, nay Sunnat-e-Muakkadah!

Everyone is well aware that one who omits a Sunnat-e-Muakkadah is worthy of censure and one who continuously omits it is liable for punishment. Just like it is Sunnat-e-Muakkadah for men to attend the Masjid for congregational Salaat and if any man does not go to the Masjid, he will be censured. If a man persists in his abandonment of congregational Salaat in the Masjid, then he is liable for punishment (in an Islamic State).

Rasulullaah (sallallahu alayhi wasallam) intended to incinerate the homes of those men who do not attend the Esha Salaat in the Masjid. Why was this? Because these people had become habituated to missing the Esha Salaat in the Masjid with congregation.
Therefore if congregational Salaat in the Masjid was binding on women, then Hadhrat Umme Humaid (radhiallahu anha), who had continued performing her Salaat in the remote corner of her home until she died, would have been liable for punishment.

In fact, if congregational Salaat for women in the Masjid was (even) Mustahab or more rewarding, then Nabi (sallallahu alayhi wasallam) would never have encouraged Hadhrat Umme Humaid to perform her Salaat at home, considering the fact that she was desirous and eager to perform her Salaat behind Nabi (sallallahu alayhi wasallam).

We will now present some of the narrations cited by the so-called followers of the Hadith, which they harp on and use as proof to exhort women to attend the Musaajid and which they claim are proofs that this is Sunnat. We will explain the import of these narrations and place them in proper context.

Hadith 19

Do not prevent women from attending the Masjid if they ask for permission from you.

Hadith 20

A man should not prevent his womenfolk from attending the Masjid. [Ahmad]

Hadith 21

Do not prevent your womenfolk from the Masjid. [Abu Dawood]

Hadith 22

If the wife of any of you requests permission to attend the Masjid, you should not prevent her. [Bukhaari Shareef / Muslim Shareef]

These narrations are written such in *Eid Ahmedi*. We have transcribed them here verbatim. What do these narrations actually say? **They are mere advices to the men not to prevent their womenfolk from attending the Masjid.** These narrations most certainly do not prove that the attendance of women in the Masjid for congregational Salaat is Mustahab or Sunnat-e-Muakkadah.

Since there was consent and permission for the women during the era of Nabi (sallallahu alayhi wasallam) to attend the Masjid for congregational Salaat, they therefore had the prerogative to practice

on their rights. The men were therefore advised not to prevent them, which would have deprived them (the womenfolk) of what they were permitted to do.

Another point is that during that era there was a need for the women to attend the Masjid because they were **all in need of education.** There was the need that they attend the Masjid and **witness the actions of Nabi (sallallahu alayhi wasallam) and learn from him directly.** If they need to know anything, they could ask for themselves. This is the reason why the men were told not to prevent the women from attending the Masjid. [As stated by Muhaddith Dehlwi (rahmatullah alayh)]

Thirdly, the era of Nabi (sallallahu alayhi wasallam) **was free from immorality and fitnah,** so the prevention of women from attending the Masjid was not done because of fear of fitnah but would have been **done to exercise authority and supremacy, displaying pride.** This is another reason why Nabi (sallallahu alayhi wasallam) advised men not to prevent the womenfolk from attending the Masjid. [As stated in Hujjatullaahi Baaligha]
Nevertheless, these narrations do not prove or indicate that congregational Salaat in the Musaajid for women is Mustahab or Sunnat.

Hadith 23

Hadhrat Ibn Umar (radhiallahu anhu) reports that Rasulullaah (sallallahu alayhi wasallam) said, *"Give consent to your women to attend the Masjid* ***at nights.****"* [Bukhaari Shareef]

Hadith 24

Hadhrat Ibn Umar (radhiallahu anhu) reports that Rasulullaah (sallallahu alayhi wasallam) said, *"If your women request permission to attend the Masjid at night, then grant them permission."* [Bukhaari Shareef]
All these Ahaadith only denote the permissibility of women attending the Masjid. Haafidh Ibn Hajar (rahmatullah alayh) states that if it was necessary and binding on women to attend the Masjid

for congregational Salaat, then there would be no need or point in their requesting permission. [Fath-hul Baari]. Because there is no question about requesting permission from anyone to perform an obligatory act of ibaadat. This does not also prove *istihbaab*, as we have explained previously.

Hadith 25

Hadhrat Ibn Abbaas (radhiallahu anhu) reports that Rasulullaah (sallallahu alayhi wasallam) would take his wives and daughters with him for the Eid Salaat. [Baihaqi / Ibn Majah]

This narration also only proves that it was permissible for the women to attend the congregational Salaat during the era of Nabi (sallallahu alayhi wasallam), so Nabi (sallallahu alayhi wasallam) would take his family along with him.

However, his act of taking them with him does not prove *istihbaab* or Sunnat. An example of this can be seen in the following narration of Hadhrat Aishah (radhiallahu anha), which appears in Bukhaari Shareef:

Hadith 26

Hadhrat Aishah (radhiallahu anha) reports, *"Nabi (sallallahu alayhi wasallam) used to kiss his wives whilst in the state of fasting, and he could control his desires better than you people."* [Bukhaari Shareef / Muslim Shareef]

In another narration it is stated, *"Which of you can control his desires the way Nabi (sallallahu alayhi wasallam) could control his?"*

Notwithstanding this Hadith being authentic, it does not prove that it is Mustahab or Sunnat to kiss one's wife whilst fasting. In fact, Hadhrat Aishah (radhiallahu anha) indicates that it is best for others not to do as he (sallallahu alaihi wasallam) did, because Nabi (sallallahu alayhi wasallam) had full control over his desires and he would not go further than a kiss, whereas there is great possibility that another person would not stop at the kiss, hence it is best to exercise caution.

Hadith 27

Umme Atiyya (radhiallahu anha) states, *"We were instructed to go out (for the Eid Salaat), and also take those in haidh, the young girls and those in hijaab. As for those women in haidh they would be present for the congregation and dua, but not in the Salaat."*

Hadith 28

Hadhrat Umme Atiyya (radhiallahu anha) states that Nabi (sallallahu alayhi wasallam) said, *"Take the young girls and those in hijaab to the* ***Eid Salaat and the dua.*** *The women in haid should stay clear of the Salaat (area)."* [Ibn Majah]

These two narrations are the strongest proofs for the so-called followers of the Hadith, because they contain the explicit terms of command, which denote emphasis or at the very least *istihbaab*. Nevertheless, they misunderstand the import and real meaning of these narrations.

We will explain them in detail:

It is widely accepted that the expression of *amr* (positive command) is used in **three instances:** sometimes it expresses an denotes a **compulsion,** like *'Establish Salaat!'*, sometimes it denotes ***istihbaab*,** like *'And eat therefrom and feed the poor and beggars…"* and sometimes it denotes **permissibility,** like *'When you become Halaal (from ihram) then (you may) hunt'*, and *'Eat and drink…'*.

Although the actual application of *amr* is compulsion, but when it is established from the context that compulsion is not the intention, then we will turn our attention to *ibaahat* (permission) or *istihbaab*.

We will now consider the objective of the usage of *Amr* in calling the women out to the Eid Salaat. It should be kept in mind that **compulsion is most certainly not the intention because there is nothing which indicates towards this,** that it is Fardh for women to attend the Eid Salaat. The Eid Salaat and **attendance of the Eid Gah is not even Fardh on men, how then can it ever be Fardh for women?**

And since those who are inviting towards practice of this Hadith, themselves do not claim it to be Fardh, there is therefore no need for us to explain any further.

Now remains the matter as to whether it is Mustahab or not. We say that it is not Mustahab and cite the following reasons in substantiation:

Firstly, consider the statement of Rasulullaah (sallallahu alayhi wasallam) where he had clearly stated that the Salaat of women in the innermost corner of their homes is better than their Salaat in the Masjid. We have explained in detail regarding this issue. Nabi (sallallahu alaihi wasallam) had clearly stated that the Salaat of women in their homes is more virtuous than their Salaat in Masjid-e-Nabawi (which boasts the reward of fifty thousand Salaat as compared to any Salaat performed elsewhere). We have also learnt that the reward for women decreases in proportion to their abandonment of concealment (see Hadith 3, 4, 5 and 6).

These factors (of abandonment of concealment) are clearly present on the occasion of Eid where they will be attending a large congregation, where their gazes will fall on the men and they will be outside in broad daylight. All these factors make it abundantly clear in the light of these narrations that their attendance for the Eid Salaat can never be classified as Mustahab. There is no exception stated in these narrations with regard to the Eid Salaat.

Secondly, is that the Jumuah and five times daily Salaat are Fardh and it is advisable and more virtuous for woman not to attend them in congregation so therefore since Eid Salaat which is not even Fardh it is all the more unadvisable for women to attend.
Thirdly, is that Nabi (sallallahu alaihi wasallam) did not mention any virtue or extra reward for women attending the Eid Salaat, wherefrom it can be established that the eid Salaat for women would be *Mustahab* or *Mustahsan.*

Now since we have established the *amr* is not a positive command denoting compulsion neither does it denote *Istihbaab* therefore we say it is only to show consent and permissibility. The actual import and intention of Nabi (sallallahu alaihi wasallam) statement is that women be allowed to attend the Eid Salaat and if they wish to go they should not be prevented because it is permissible for them to

attend. We also accede to the fact that women used to attend the congregational Salaat during the era of Nabi (sallallahu alaihi wasallam).

Chapter Three

Does the consent and permissibility which existed during the era of Nabi (sallallahu alaihi wasallam) for women to attend the congregational Salaat still apply today or not?
It is clear and accepted by all that women were allowed to perform their Salaat in the Masjid during the era of Nabi (sallallahu alaihi wasallam). However the conditions of the society started deteriorating from the era of the Sahaabah (radhiallahu anhum), not long after the demise of Nabi (sallallahu alaihi wasallam). Immorality and fitnah started increasing, and the Sahaabah (radhiallahu anhum) had themselves started preventing women from attending the Masjid. This prohibition of theirs was based on and extracted from the teachings of Allaah Ta`ala and His Rasool (sallallahu alaihi wasallam), as our readers have learnt earlier on.
The Hanafi Ulama have ruled that it is no longer permissible for women to attend the Masjid for congregational Salaat. In fact, for women to perform their Salaat in their homes was preferable and more virtuous during the era of Nabi (sallallahu alaihi wasallam), but today it is necessary and obligatory for them to perform their Salaat at home. The proofs of the Hanafi Ulama are as outlined below:

First Proof:

Hadith 29

It has been reported that Hadhrat Aishah (radhiallahu anha) said, *"Had Nabi (sallallahu alaihi wasallam) witnessed the condition of women (today-i.e. during the time of Hadhrat Aishah – radhiallahu anha) he would have prevented them from the Masjid just like the women of the Bani Israeel were prevented."* [Bukhaari Shareef]

Hadith 30

The women of the Bani Isareel being prevented from the Masjid has been established from the Hadith of Hadhrat Urwah from Aishah (radhiallahu anha) *marfoo`an*. Abdur Razzaaq has cited it with an authentic *sanad* and his words are: *She said, 'The women of the Bani Israeel used to make feet (stilts) from wood so they could ogle at the men in the Masjid (owing to their height advantage). Allaah Ta`ala then made their attendance in the Masjid Haraam, and **He decreed upon them (subjected them to) haidh.'***

Although this Hadith is *mauqoof* on Hadhrat Aishah (radhiallahu anha), it is nevertheless, classified as *marfoo`*, because such things cannot be said from one's own opinion or *qiyaas*.

Haafidh Ibn Hajar, Qaadhi Shaukaani, Allamah Zurqaani (the commentator of *Muwatta Maalik*), the author of *Aunul Ma`bood* (rahmatullahi alaihim) had all classified Hadith 30 as *marfoo`*. They accepted the Hadith as being authentic. The following salient points are learnt from this Hadith:

1. The women of the Bani Israeel used to attend the Masjid for Salaat. They were permitted to do so.
2. Since we have established from an authentic Hadith that the women of the Bani Isra'eel were prohibited from attending the Masjid owing to immorality which crept into their societies, it follows that this ruling also applies to the Ummat e Muhammadiyyah and that it is Haraam for women to attend the Masjid because immorality and fitnah have become the order of the day.
3. In Hadith 29, Hadhrat Aishah (radhiallahu anha) states that the condition of the women started deteriorating after the demise of Nabi (sallallahu alaihi wasallam), and had he witnessed what was happening he would most certainly have prohibited the women from attending the Masjid, just as the women of the Bani Israeel were prohibited.

It has thus been established from the Hadith of Hadhrat Aishah (radhiallahu anha) that immorality and fitnah had started creeping into the Muslim society, and it has further been established that immorality and fitnah are the reasons for Allaah Ta`ala decreeing the

prohibition of women from attending the Masjid, as had been seen regarding the women of the Bani Israeel. It follows then that the ruling of the prohibition of women, of the Ummat of Muhammad (sallallahu alaihi wasallam), from attending the Masjid, is also according to the Desire and Wish of Allaah Ta`ala.

Any ruling which was decreed for the previous Ummats, if it had not been abrogated for our Ummat, its relevance will apply to us as well. Whatever was binding on the previous Ummats (as long as it has not been abrogated for us), will apply to us as well. As Allaah Ta`ala states in the Qur`aan Majeed, addressing Nabi (sallallahu alaihi wasallam),*"And their (the previous Ambiyaa) guidance, you should follow."* [Surah In`aam, Aayat 90]

Hadith 31

Hadhrat Ibn Abbaad (radhiallahu anhu) stated, *"Your Nabi (sallallahu alaihi wasallam) is amongst those who instructed the obedience to the previous Ambiyaa."* [Bukhaari Shareef]
Since the Divine Scriptures which were revealed to the previous Ambiyaa (alaihimus salaam) are non-existent today in their true forms, it is not possible or binding upon us to follow their teachings. There is no certainty that the injunctions which exist today (in the other religious books) are from Allaah Ta`ala, however as for those Divine Commands which were decreed on the previous Ummats as told to us by Nabi (sallallahu alaihi wasallam), they would be binding upon us just as the Commands which were decreed directly upon us, as long as they have not been abrogated.
Since this Hadith which states that the women of the Bani Isra'eel were prohibited from attending the Masjid owing to immorality which crept into their societies, is an authentic Hadith, it follows that this ruling also applies to us and that it is Haraam for women to attend the Masjid because immorality and fitnah have now become the order of the day.
This proof is crystal clear and there is no doubt in it, because it comprises two authentic Ahaadith and one Qur`aanic Aayat. Nevertheless it is possible that some people may object to certain aspects thereof, therefore we will deal with these objections in detail.

Objection 1

The rulings of the previous Ummats would only be binding upon us if no contrary ruling exists in our Shariah. Our Shariah has permitted women to attend the Masjid which cancels and abrogates the ruling of prohibition of the previous Ummats. It is as though you are now proving the matter with an abrogated ruling.

Reply

This notion is incorrect because this Hadith proves that the women of the Bani Isra'eel used to attend the Masjid and they were permitted to do so. However when they begun acting immorally and the *fasaad* started spreading, that is when their attendance was made Haraam. This ruling has not been abrogated in our Shariah.

It should be understood that the permission for women to attend the Masjid applies only on the condition that there is no fear of *fitnah* and *fasaad*, and the permission which was granted to them was done during an era which was free of *fitnah* and *fasaad*. This fact did not abrogate the ruling of prohibition, which was initially promulgated due to *fitnah* and *fasaad*.

The era of Nabi (sallallahu alaihi wasallam) was free of *fitnah* and *fasaad,* which was the causative factor in the ruling of prohibition. This is clearly established in Hadith 29 of Hadhrat Aaisha (radhiallahu anha) where she states, *"Had Nabi (sallallahu alaihi wasallam) witnessed the condition of women today* ...this statement of hers clearly implies that the *fitnah* and *fasaad* had not existed during the era of Nabi (sallallahu alaihi wasallam). Therefore the consent which was granted (during the time of Nabi (sallallahu alaihi wasallam)) was most certainly in an atmosphere contrary to when the prohibition was decreed (for the Bani Israeel).

Objection two

It will not be correct to say that the era of Nabi (sallallahu alaihi wasallam) was free of *fitnah*, because there were some people who would purposely stand in the back rows so that they could ogle the

women and there were other pious persons who wish to go to the front so that their gazes do not fall on the women. Regarding them this Aayat was revealed, *"And indeed We are aware of those amongst you in the front and indeed We are aware of those who remain behind."* [Surah Hijr, Aayat 24]
It has been reported in Tirmidhi Shareef that during the era of Nabi (sallallahu alaihi wasallam) a Sahaabi once raped a woman, and another man was accused of it. Nabi (sallallahu alaihi wasallam) ordered that he be stoned to death. The true perpetrator felt guilty that another person be punished for his crime, so he admitted guilt and was punished accordingly.
When such incidents were reported to have taken place during the era of Nabi (sallallahu alaihi wasallam), then how will it be correct to say that the consent (for women to attend the Masjid) was granted because it was an era which was free from *fitnah*, and that because of the *fitnah* which crept in later caused the ruling of prohibition?

Reply 1

The ruling which made it Haraam for the women of the Bani Israeel to attend the Masjid was issued because of the immorality and *fasaad* which crept into the society. The statement of Hadhrat Aaishah (radhiallahu anha) clearly indicates that new acts of immorality had begun to surface after the demise of Nabi (sallallahu alaihi wasallam). If we combine these two narrations then it becomes abundantly clear that the *fitnah* and *fasaad* which was the causative factor in the ruling of prohibition, was the *fasaad* (mischief) that existed in the intentions of the women. The Aayat and Hadith cited in the objection above relates to and establishes the immorality that existed in the men, not women. Therefore these incidents fall beyond the ambit of this discussion.
The fact of the matter is that if the intentions of women are clean and clear then the harms which result from the immorality perpetrated by men are not as severe as when these immoralities are initiated by the women. This is the reason why the ruling of prohibition for the women of the Bani Israeel was only decreed when they showed signs of immorality. Similarly, the ruling of prohibition for the

women of this Ummat was decreed when the immorality amongst women began.

Reply 2

The occurrence of one or two isolated incidents during the era of Nabi (sallallahu alaihi wasallam) does not render the entire era as being one of *fitnah* and *fasaad.* An era will be classified as being one of *fitnah* and *fasaad* when such incidences occur regularly and become the order of the day. It is clearly understood from the Hadith of Hadhrat Aishah (radhiallahu anha) that such conditions started prevailing after the demise of Nabi (sallallahu alaihi wasallam).

Second Proof:

There is another way of extracting a proof from the Hadith of Hadhrat Aishah (radhiallahu anha). She states, *"Had Nabi (sallallahu alayhi wasallam) witnessed the condition of women today, he would certainly have prevented them from attending the Masjid."* [Agreed upon]
This narration clearly proves that such immorality as had crept up after the demise of Nabi (sallallahu alayhi wasallam) was non-existent during his blessed era. The condition deteriorated after Nabi's (sallallahu alayhi wasallam) demise, therefore the import of Hadhrat Aishah's (radhiallahu anha) statement is that these newly developed conditions render the ruling of prohibition necessary. The use of *laam takeed* in her words denote the emphasis, that is, that Nabi (sallallahu alayhi wasallam) would *most certainly* have prohibited women from attending the Masjid.
This statement of Hadhrat Aishah (radhiallahu anha) proves that the condition of the women deteriorated after the demise of Nabi (sallallahu alayhi wasallam) and it also establishes the ruling of prohibition. It follows that when the condition of the women deteriorated, the ruling of prohibition comes into place.

Objection 1

Haafidh Ibn Hajar (rahmatullah alayh) objects to this proof in *Fat-hul Baari* by stating that a general prohibition for women cannot be deduced from this narration, because Hadhrat Aishah (radhiallahu anha) had based the ruling of prohibition on such a condition which did not exist, therefore the ruling of prohibition does not come into existence. It can be said that Nabi (sallallahu alayhi wasallam) did not see the condition of the women hence he did not prohibit them, therefore the permission for their attendance in the Masjid still exists.

Reply

Haafidh Ibn Hajar (rahmatullah alayh) is correct is stating that Nabi (sallallahu alayhi wasallam) did not witness these conditions (of the immorality in women), therefore he (sallallahu alaihi wasallam) did not prohibit them. However, his concluding that the ruling of permission still exists, requires some consideration. We had established earlier on that the statement of Hadhrat Aishah (radhiallahu anha) established that the deteriorating condition of the women is the causative factor in the ruling of prohibition, so how can Haafidh Ibn Hajar conclude that, notwithstanding the deteriorating condition of women, the ruling of permissibility still prevails?
However if Haafidh Ibn Hajar's view is that the immorality of women does not necessitate their prohibition from the Masjid, then we have two answers for him:

Firstly, is that we intend using the narration of Hadhrat Aishah (radhiallahu anha) as our proof. This narrations clearly states the mutual necessity that Hadhrat Aishah (radhiallahu anha) regarded the introduction of immorality amongst women as being the causative factor in prohibiting them from attending the Masjid. Haafidh Ibn Hajar does not accept this. We accept the statement of Hadhrat Aishah (radhiallahu anha) as opposed to the opinion of Haafidh Ibn Hajar.

Secondly, the ruling of prohibition indicated to by Hadhrat Aishah (radhiallahu anha) that the immorality in women necessitated their prohibition from the Masjid, was not the result of her opinion, in fact, she deemed it as a Divine Injunction. The Hadith regarding the women of the Bani Israeel, was a strong proof for her. Since it has been established that the immorality of women and the ruling of their prohibition from the Masjid are mutually necessary, how can the averment of Haafidh Ibn Hajar ever be correct that since Nabi (sallallahu alayhi wasallam) did not see it he did not rule against it, so the initial permissibility still exists?
A similitude would be that of the case of grape wine. The ruling: *If it intoxicates then its consumption is Haraam*, is completely correct. However if someone says, *If it does not intoxicate then it is not Haraam, therefore this ruling (of it being Halaal) will continue* – how can this ever be correct and acceptable? That is, the ruling of permissibility still exists even after intoxication occurred and the ruling of prohibition does not apply. Thing view is spurious and completely incorrect.

Objection 2

Haafidh Ibn Hajar (rahmatullah alayh) had also raised this objection that if the increase in immorality rendered the attendance of women in the Masjid Haraam, then Allaah Ta`ala knew this would happen, so why did He not decree the prohibition in the first place?

Reply 1

Allaah Ta`ala most certainly knew that immorality would increase, nevertheless, it had not yet been prevalent at the time, so there was no need to issue the prohibition. There is no incumbency to issue a ruling before the needs arises, otherwise Haafidh Ibn Hajar (rahmatullah alayh) would not be able to evade the queries which would arise regarding the rulings issued on various relevant occasions. For example, the ruling of tayammum was revealed on the occasion of Hadhrat Aishah (radhiallahu anha) losing her necklace on a journey. It occurred in such a place where there was no water. The people became restless and they complained to Hadhrat

Abu Bakr (radhiallahu anhu), who in turn chastised Hadhrat Aishah (radhiallahu anha). She was greatly grieved. It was on that occasion that the ruling of tayammum was revealed.
Now if anyone were to ask Haafidh Ibn Hajar that since Allaah Ta`ala was aware that such occasions will arise where water will not be available, why did He not reveal the rulings of tayammum before the need arose?
Just like this, there are countless occasions where rulings were issued on the 'spur of the moment' and on specific occasions for specific incidences. If Haafidh Ibn Hajar were to be asked regarding all of them, then whatever reply he offered would also apply to this issue at hand.

Reply 2

Indeed Allaah Ta`ala was aware that immorality was to become prevalent. He had also issued the ruling of prohibition on a previous occasion for the same thing, when the condition of the women of the Bani Israeel deteriorated. This very same ruling also applies to our Ummat, which applied to the previous Ummat. The fact that Allaah Ta`ala had informed Nabi (sallallahu alayhi wasallam) of His decree for the Bani Israeel was sufficient enough for us to deduce the relevance of the ruling for us.

Objection 3

Haafidh Ibn Hajar (rahmatullah alayh) had also raised this objection that if the ruling of prohibition followed the introduction of *fitnah*, then this should only apply to those women who are guilty of perpetrating *fitnah* and not to all women in general.

Reply

When *fitnah* and immorality creeps in to the society, then it becomes very difficult if not impossible to pinpoint the culprits and guilty ones. If only some women are allowed into the Masjid then the others would formulate some plan or the other to get themselves

admitted. It will be practically impossible to regulate the flow of women into the Masjid. Can guards be placed at the doors of the Musaajid and be able to sift out the acceptable from the unacceptable? Can anyone look into the hearts and intentions of others? Immorality is something which is not always apparent. It is amongst the hidden traits and only Allaah Ta`ala is *Aaalimul Ghaib* (Knower of the unseen). **A general and blanket prohibition for all women has been decreed so as to close all the doors of *fitnah*.** A similarity of this can be found in the incident in the life of Nabi (sallallahu alayhi wasallam) where the munaafiqeen and jews would present themselves in Nabi's (sallallahu alayhi wasallam) presence and they would say, *Raa`ina*, which had a derogatory meaning and implication. The Muslims would also say the same word when in Nabi's (sallallahu alayhi wasallam) presence, which in their case meant, *Look at us.*

Now since there was no apparent means of knowing who meant what, a general prohibition of the usage of this word was issued by Allaah Ta`ala in the Qur`aan Majeed, *"O You who believe! Do not say, Raa`ina, (but rather) say 'Unzur na' (Look at us)."* [Surah Baqarah, Aayat 104]

The same applies here, that since we cannot distinguish between the well-intending women and immoral ones, a general ruling of prohibition was issued. The narration regarding the women of the Bani Israeel also shows that a general prohibition was issued which applied to all the women. This objection of Haafidh Ibn Hajar is also incorrect.

Third Proof:

Hadith 32

Hadhrat Abdullaah ibn Mas'ood (radhiallahu anhu) reports, *"The men and women of the Bani Israeel used to perform Salaat in congregation.*

If any of the women had a (male) friend, she would wear stilts so that she could be taller and could see him. Allaah Ta`ala then subjected them (the women) to haidh."* Hadhrat ibn Mas'ood (radhiallahu anhu) used to say, *"Expel them (i.e. the women) from the Masjid, just as Allaah Ta`ala had expelled the others." [Majmauz Zawaaid - Haafidh Haithami said that all the narrators are authentic and reliable]

Hadith 33

Hadhrat Abu Amr Shaibaani reports that he saw Hadhrat Abdullaah ibn Mas'ood (radhiallahu anhu) expelling women from the **Masjid on the day of Jumuah,** saying, *"Go to your homes, it is better for you."* [Majmauz Zawaaid - Haafidh Haithami said that all the narrators are authentic and reliable]

The following points are clear from these narrations:

1. Hadhrat Abdullaah ibn Mas'ood (radhiallahu anhu) ejected women from the Masjid on the day of Jumuah

2. He would advise the people to eject the women from the Masjid.

3. Citing the incident of the women of Bani Israeel that they were expelled from the Masjid because of their immorality and *fasaad* he instructed the Muslims to do likewise.

Hadith 33 of Hadhrat ibn Mas'ood (radhiallahu anhu) is *marfoo',* its *sanad* is reliable and it is similar in meaning to the narration of Hadhrat Aaishah (radhiallahu anha), therefore it is clearly established from these two narrations that it is the will and decree of Allaah Ta`ala that women be banned from the Masjid when they engage in immoral acts and *fasaad* increases. Their attendance in the Masjid would be Makrooh-e-Tahrimi.
We now take a look at those Sahaabah (radhiallahu anhum), Taabieen, Mujtahiddeen and Muhadditheen (rahmatullahi alaihim) who regarded the attendance of women in the Masjid as being

Makrooh after the demise of Rasulullaah (sallallahu alayhi wasallam).

Hadith 34

Hadhrat ibn Umar (radhiallahu anhu) reports, *"The wife of Umar (radhiallahu anhu) used to attend the Fajr and Esha Salaat in congregation in the Masjid. It was said to her, 'Why do you come out of the house when you know that Umar dislikes it.' She replied, 'What prevents him from stopping me?' They told her, 'The statement of Rasulullaah (sallallahu alayhi wasallam): 'Do not prevent the female slaves of Allaah Ta`ala from the Musaajid of Allaah Ta`ala.''"* [Bukhaari Shareef / Ibn Abi Shaibah / Kanz]

From this narration we understand that Hadhrat Umar (radhiallahu anhu) regarded the attendance of women for Fajr and Esha Salaat in the Masjid as Makrooh. His reason was that there was a fear of *fitnah*.

This narration appears thus in Muwatta Imaam Maalik that when this wife of Hadhrat Umar (radhiallahu anhu) requested his consent to attend the Masjid, he remained silent.
However, the narration in Bukhaari Shareef makes it clear that the silence of Hadhrat Umar (radhiallahu anhu) was not one of consent, in fact it was one of abomination and distaste. Allaamah Zurqaani states regarding this silence of Hadhrat Umar (radhiallahu anhu) in the commentary of Muwatta, *"He remained* ***silent because he disliked her emergence for Fajr and Esha Salaat.****"*

The objection may be raised that if Hadhrat Umar (radhiallahu anhu) disliked his wife's emergence then why did he not prevent her. The reason for this is that this wife of Hadhrat Umar (radhiallahu anhu) was Aatika, the daughter of Zaid and at the time of her Nikah with Hadhrat Umar (radhiallahu anhu), she made the condition that he not prevent her from attending the Masjid for congregational Salaat. This is the reason why he did not prevent her, lest it be a breach in his agreement. Nevertheless, this did not prevent him from disliking her action or his regarding it as Makrooh.

Someone may say that since he regarded this as Makrooh, then why did he agree to this condition in the first place when he made the Nikah?

The reply to this objection is that at the time of his making Nikah, the condition of women had not deteriorated to the low ebb which warranted their prohibition from the Masjid, hence at that time he did not regard their attendance in the Masjid as Makrooh. It was only later that the condition of women deteriorated that he deemed their emergence as Makrooh, but owing to his initial agreement with her, he did not wish to breach his contract.

As for the reason cited for his not preventing his wife from attending the Masjid being the statement of Nabi (sallallahu alaihi wasallam), it is not proven that this was his reason. This was merely the opinion of the people around him. Another point is that if this was his reason, then how is it that he regarded the emergence of women to the Masjid as Makrooh, when Nabi (sallallahu alaihi wasallam) had allowed their attendance?

His regarding the attendance of women in the Masjid as Makrooh was because of the rise and preponderance of *fitnah* and *fasaad*, and his not preventing his wife was in fulfilment of his agreement with her. To regard it as Makrooh because of the *fitnah* and *fasaad* is not in opposition to the statement of Nabi (sallallahu alaihi wasallam), *"Do not prevent the female slaves of Allaah Ta`ala from the Musaajid of Allaah Ta`ala."*

The fourth view is that it (women attending the Eid Salaat) is Makrooh. This has been reported by Tirmidhi from Thouri and Ibn Mubaarak. It is also the view of Maalik and Abu Yusuf. Ibn Qudaama reported it from Nakha`ee and Yahya bin Saeed Ansaari. [Neelil Autaar]

Our (Shaafi) companions have stated: It is Mustahab to take only those women to the Eid Salaat who are not attractive and eye-catching and not those that are. Our reply to the narration which endorses taking the young women and those who are in hijaab to the Eid Salaat is that the blessed era (of Nabi - sallallahu alaihi wasallam) was free from fitnah and fasaad, contrary to the present times. It has been established from Hadhrat Aishah (radhiallahu anha) through an authentic sanad that she said, 'Had Nabi (sallallahu alaihi wasallam) witnessed the condition of the women today, he

would most certainly have prohibited them from the Masjid just as the women of the Bani Israeel were prohibited.'

Qaadhi Iyaadh stated, 'The Salaf have differed regarding the emergence of women for the Eid Salaat. A group amongst them regarded it as their (women's) right. Amongst them was Hadhrat Abu Bakr, Ali, Ibn Umar, etc. There were those who prohibited them from attending. Amongst them was Urwah, Qaasim, Yahya Al-Ansaari, Maalik and Abu Yusuf. Imaam Abu Hanifah consented to their attendance once and prohibited it later. [Nawawi / Aunul Ma`bood]

Amongst the reasons which make absence from the congregational Salaat permissible is fear of fitnah, like if a woman applies perfume and attends. There is no difference of opinion between the statement of Nabi (sallallahu alaihi wasallam), 'If the wife of any of you seeks consent to go to the Masjid, you should not prevent her', and the ruling of the majority of the Sahaabah (radhiallahu anhum) in preventing the womenfolk from attending, because the preventive factor which is referred to in the Hadith is the ghairat (sense of honour) which stems from pride. The Sahaabah (radhiallahu anhum) prevented their women from attending the Masjid because of their ghairat which stemmed from fear of fitnah, and this is permissible. [Hujjatullahil Baaligha, vol. 2, page 26]

These excerpts clearly show those persons who prohibited women from attending the Masjid for the five times daily Salaat and for the Eid Salaat. They regarded the attendance of women as Makrooh.

They were:

The majority of the Sahaabah (radhiallahu anhum) – *Hujjatullahil Baalighah*

Hadhrat Aishah (radhiallahu anha) – Hadith 29 and 30

Hadhrat Abdullaah Ibn Mas`ood (radhiallahu anhu) – Hadith 32 and 33

Hadhrat Umar (radhiallahu anhu) – Hadith 34

Sufyaan Thouri and Abdullah Ibn Mubaarak – *Tirmidhi*

Imaam Maalik, Imaam Abu Yusuf, Ibrahim Nakha`ee and Yahya Saeed Ansaari – *Neelil Autaar*

The nephew of Hadhrat Aishah (radhiallahu anha), Hadhrat Urwah bin Zubair, Qaasim and Imaam Abu Hanifah (rahmatullahi alaihim ajmaeen) -- *Nawawi and Aunul Ma`bood*

From the above discussion the readers will clearly understand that the first persons who had prevented women from attending the Masjid for the congregational Salaat were the Sahaabah (radhiallahu anhum). The reason and causative factor that spurred this ruling is the Desire of Allaah Ta`ala that women be prevented from the Masjid as He had decreed for the women of the Bani Israeel. This prohibition has been transmitted down the ages from the time of the Sahaabah (radhiallahu anhum) until this day, as has been discussed earlier.

Important Note 1

The Ahaadith which have been cited in the second chapter that the best place for a woman to perform her Salaat is the innermost corner of her house and also that her Salaat in her home is more virtuous for her than her Salaat in Masjid-e-Nabawi should not leave any woman dejected or forlorn, thinking that she is deprived of the great reward of performing Salaat in Masjid-e-Nabawi. We present hereunder two points which should be consoling to them:
Firstly, they should not feel dejected or deprived. In fact they should feel elated that Allaah Ta`ala had bestowed on them more reward for performing their Salaat in their homes, than having to perform it in the Masjid-e-Nabawi. [See Hadith 4]
Men need to walk and go there to acquire the reward, **whereas women attain more reward by just remaining in their homes and performing their Salaat.** This is actually an occasion of happiness and celebration for women and not one of sadness and grief.

Secondly, Allaah Ta`ala had reserved the emergence from the home and mixing in gatherings especially for men. Like this there are many posts and duties which are specifically for men, like participation in Jihaad, delivering sermons, Khutbah, Imaamat, etc.

It would be impermissible for women to be jealous or display greed for that which Allaah Ta`ala had not decreed for them this applies also to congregational Salaat. The fact of the matter is that sometimes we may regard something to be very great and rewarding, but we need to first subject our desires to the desires of Allaah Ta`ala and

His Rasool (sallallahu alaihi wasallam). Whatever they have decreed for us, that is better for us and not what we deem as being better. Allaah Ta`ala and His Rasool (sallallahu alaihi wasallam) had ruled that the Salaat of women in their homes is better for them than their Salaat in the Masjid, therefore it is necessary that women subject themselves to this decree and practice subservience to it.

Women should believe that their Salaat performed in their home is better for them, thereby adopting subservience to the Will of Allaah Ta`ala and His Rasool (sallallahu alaihi wasallam) and they should abandon their personal notions that congregational Salaat is better for them.

Important Note 2

Many so-called followers of the Hadith present the deceptive argument for people that, in view of the consent of Nabi (sallallahu alaihi wasallam), the prohibition of the Sahaabah (radhiallahu anhum) are unacceptable. They say that the statements of the Sahaabah (radhiallahu anhum) does not negate Hadith-e-Marfoo`

This is one false and deceptive argument. The fact of the matter is that the statement of the Sahaabah (radhiallahu anhum) would not be accepted against a Hadith-e-Marfoo` only if there is a contradiction between the two, and if this contradiction cannot be resolved. This is not the case here. In fact the statement and consent of Nabi (sallallahu alaihi wasallam) applies to an environment which is free from *fitnah* and *fasaad*, and the ruling of the Sahaabah (radhiallahu anhum) applies to the presence of *fitnah* and *fasaad*, as is made abundantly clear from the Hadith of Hadhrat Aishah (radhiallahu anha). There is absolutely no contradiction between the statement of Nabi (sallallahu alaihi wasallam) and the ruling of the Sahaabah (radhiallahu anhum) in this case.

Another point is that this prohibition is not merely based on the statement and actions of the Sahaabah (radhiallahu anhum), in fact Hadith 5 which is *marfoo`*, shows that in an environment of *fitnah* and

fasaad the ruling of prohibition is decreed by none other than Allaah Ta`ala Himself.

واخر دعونا ان الحمد لله ربّ العالمين

والصلاة والسلام علي رسوله محمّد واله واصحابه اجمعين

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Translation Edited by
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Muharram 1429 / January 2008

THE STATUS OF IMAM ABU HANIFAH

Imaam Abu Haneefah رحمه الله The Necessity for Codifying Fiqh and The Popularity of the Hanafi Madh'hab in the Indian Subcontinent

The Imaam of the Imaams, the leader of the Fuqahaa and Mujtahideen, Haafidh of Hadith Imaam Abu Haneefah رحمه الله was that Mujtahid of the highest calibre, that Muhaddith, ascetic, pious and humble Imaam whose virtues and attributes have been lauded by great Muhadditheen and Ulema of all the Madhaahib. One may refer to their various books for details.

Imaam Abu Haneefah رحمه الله is commonly referred to as *Imaame A'zam* (The greatest of the Imaams) and has been revered by a large group of Ulema and Muhadditheen. In fact, more than half of the Ummah are his followers.

He was born during the period of the Sahabah ψ and was an embodiment of piety, knowledge and all good attributes. His hometown was Kufa, which was then a seat of knowledge because thousands of Sahabah ψ lived there. There were over a thousand Fuqahaa in Kufa, a hundred and fifty of whom were Sahabah ψ. Amongst these were people like Hadhrat Abdullaah bin Mas'ood τ and Hadhrat Abu Hurayrah τ as well as four thousand students of Hadhrat Abdullaah bin Mas'ood τ and eight hundred students of Hadhrat Abu Hurayrah τ. It was amongst such people that Imaam Abu Haneefah رحمه الله was brought up and together with this, he also studied under the Ulema of the Haramain.

Glad Tidings For Imaam Abu Haneefah رحمه الله From The Ahadeeth

Rasulullaah ρ once said, "Even if Imaan has to be on the Pleiades constellation, a man of Persian descent would get it from there."[1] Another Hadith states that Rasulullaah ρ said that some people of Persian descent will get it from there. Imaam Jalaaluddeen Suyuti رحمه الله reports from many Muhadditheen like Imaam Bukhaari رحمه الله and Imaam Muslim رحمه الله that these Ahadeeth refer specifically to Imaam Abu Haneefah رحمه الله. One of Imaam Suyuti رحمه الله's students writes, this statement of his teacher is absolutely true because no other person of Persian descent reached the height of knowledge that Imaam Abu Haneefah رحمه الله reached.[2]

Shah Wali'ullaah Muhaddith Dehlawi رحمه الله also says that the Hadith refers to none other but Imaam Abu Haneefah رحمه الله and the author of *Ghaayatul Awtaar*[3] writes: "It is certain that the Hadith of Bukhaari and Muslim refers to *Imaame A'zam* and his students because none of the descendants of the Persians had more knowledge and a deeper understanding of the Deen than them."

Imaam Abu Haneefah رحمه الله Was A Taabi'ee

Allaama Ibn Hajar Haythami Makki رحمه الله writes in his *Khayraatul Hisaan*[4] that Imaam Abu Haneefah رحمه الله was amongst the greatest of the Taabi'een and that he met a large group of the Sahabah ψ who lived in Kufa after his birth in 80 A.H. None of the Imaams in his time had this honour, not even Imaam Awzaa'ee رحمه الله who was in Shaamn, the two Imaams named Hammaad who were in Basrah, Imaam Thowri رحمه الله who was in Kufa, Imaam Maalik رحمه الله who was in Madinah and Imaam Layth bin Sa'd رحمه الله who was in Egypt.

[1] Muslim (Vol.2 Pg.312) and Bukhaari (Vol.2 Pg.727).
[2] *Shaami* (Vol.1 Pg.49).
[3] Translation of *Durrul Mukhtaar* (Vol.1 Pg.23).
[4] Pg.21.

A large group of critics have verified that Imaam Abu Haneefah رحمه الله was reliable in his narrations, had a profound knowledge of Ahadeeth and his narration were absolutely reliable. Here we shall quote a few of these experts:

1. Imaam Yahya bin Ma'een رحمه الله (passed away 233 A.H.) was a famous saint, Muhaddith and expert in the subject of *Rijaal* (critical analysis of the narrators of Ahadeeth). He taught Imaam Bukhaari رحمه الله and other Muhadditheen and Imaam Bukhaari رحمه الله has the following to say about him, "I have never seen myself belittled (in terms of knowledge) in front of anyone other than Yahya bin Ma'een رحمه الله." This same Imaam Yahya رحمه الله attests to the great calibre of Imaam Abu Haneefah رحمه الله and says, "He is *Thiqa* (reliable) and trustworthy and I have never heard anyone who regards him to be a weak narrator."[1] He also mentioned that the best Fiqh in his estimation is that of Imaam Abu Haneefah رحمه الله.[2]

2. Imaam Yahya bin Sa'eed Qattaan رحمه الله (passed away 198 A.H.) was also a famous saint, Muhaddith and expert in the subject of *Rijaal* (critical analysis of the narrators of Ahadeeth). He taught the likes of Imaam Ahmad رحمه الله and Imaam Ali bin Madeeni رحمه الله. Despite his profound knowledge, he learnt from Imaam Abu Haneefah رحمه الله and expressed great praise in being a student of Imaam Abu Haneefah رحمه الله. He followed the rulings of Imaam Abu Haneefah رحمه الله in many cases and had the following to say about Imaam Abu Haneefah رحمه الله:

   - "I have never heard an opinion better than those of Imaam Abu Haneefah رحمه الله". He would therefore issue rulings corresponding to those of Imaam Abu Haneefah رحمه الله.[3]

   - "By Allaah! We sat in the company of Imaam Abu Haneefah رحمه الله and learnt Ahadeeth from him and

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[1] *Umdatul Qaari* (Vol.3 Pg.66).
[2] *Khayraatul Hisaan* pg.30.
[3] *Khayraatul Hisaan* pg.31.

each time I looked at his face, I could see that he was a person who feared Allaah."[1]

- "There was none other than Imaam Abu Haneefah رحمه الله to solve the problems people were having. Although he was not known of initially, his status and position then multiplied in leaps and bounds."[2]

3. Ameerul Mu'mineen in Hadith Hadhrat Abdullaah bin Mubaarak رحمه الله (passed away 181 A.H.) was one of the most senior of the Muhadditheen and the teacher of people like Imaam Ahmad رحمه الله and Imaam Yahya bin Ma'een رحمه الله. In fact, the first books that Imaam Bukhaari رحمه الله studied were those of Hadhrat Abdullaah bin Mubaarak رحمه الله. He is unanimously regarded as the Ameerul Mu'mineen in the field of Ahadeeth and Imaams Bukhaari رحمه الله and Muslim رحمه الله narrate many Ahadeeth from him. He was one of the special students of Imaam Abu Haneefah رحمه الله and was so captivated by the personality of Imaam Abu Haneefah رحمه الله that he stayed with him throughout his life. He had the following to say about Imaam Abu Haneefah رحمه الله:

- "He (Imaam Abu Haneefah رحمه الله) was amongst those who knew the most Ahadeeth of Rasulullaah ρ and had studied Ahadeeth from many teachers." Hadhrat Abdullaah bin Mubaarak رحمه الله used to encourage people to follow Imaam Abu Haneefah رحمه الله and say, "We have been to many scholars of Hijaaz and Iraq but have never found a class more blessed and more beneficial than that of Imaam Abu Haneefah رحمه الله."[3]

- "I have been to many cities but I had never known the principles of Halaal and Haraam until I met him (Imaam Abu Haneefah رحمه الله)."[4]

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[1] *Muwaffaq* (Vol.1 Pg.191).
[2] *Muwaffaq* (Vol.2 Pg.45).
[3] *Manaaqib Kurdi* (Vol.1 Pg.103).
[4] *Manaaqib Kurdi* (Vol.1 Pg.103).

- "I have studied under many teachers but have never known any as proficient in Fataawaa as he (Imaam Abu Haneefah رحمه الله)."[1]

- "Were it not for sounding prejudiced, I would say that I have never seen anyone as proficient in Fataawaa as he (Imaam Abu Haneefah رحمه الله)."[2]

- "He (Imaam Abu Haneefah رحمه الله) excelled people in his memory for Ahadeeth, his Fiqh, his knowledge, his trustworthiness and his sheer piety."[3]

- "He had the deepest understanding of Deen and I have never seen any other with a deeper understanding than he."[4]

- If an opinion is to be sought, it is to be taken from Maalik, Sufyaan and Abu Haneefah رحمه الله. From them, the one with the best, the deepest and most finely tuned understanding is Abu Haneefah رحمه الله.[5]

- There is none more worthy of being followed than Imaam Abu Haneefah رحمه الله because he was an Imaam, a pious man, an Aalim and a Faqih. With his keen insight, understanding and intelligence, he has exposed knowledge in such a way that no other person has done.[6]

4. Imaam A'mash Kufi رحمه الله (passed away 148 A.H.) was an eminent Faqih and Muhaddith of Kufa and one of the teachers of the great Muhadditheen. Despite this, he always had words of praise for Imaam Abu Haneefah رحمه الله. Note the following.

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[1] *Manaaqib Kurdi* (Vol.1 Pg.104).
[2] *Manaaqib Kurdi* (Vol.1 Pg.104).
[3] *Jaami Bayaanil Ilm*, as quoted in *Taqleede A'immah* pg.113.
[4] *Khayraatul Hisaan* pg.29.
[5] *Khayraatul Hisaan* pg.29.
[6] *Khayraatul Hisaan* pg.29.

- On one occasion when he was asked a question, he referred the questioner to Imaam Abu Haneefah رحمه الله, saying that Imaam Abu Haneefah رحمه الله will have a better reply because he has been blessed in his knowledge.[1]
- Hadhrat Abdullaah bin Umar reports that he was once sitting with Imaam A'mash رحمه الله when Imaam Abu Haneefah رحمه الله also arrived there. Someone then asked an intricate question, about which Imaam A'mash رحمه الله kept his peace. He then turned to Imaam Abu Haneefah رحمه الله and asked him what the answer was. When Imaam Abu Haneefah رحمه الله gave a satisfying reply, Imaam A'mash رحمه الله asked him from which Hadith did he derive the reply. Imaam Abu Haneefah رحمه الله then explained that it was from a Hadith that Imaam A'mash رحمه الله had himself narrated to him. He also explained how he had arrived at the conclusion. To this, Imaam A'mash رحمه الله exclaimed, **"We (the Muhadditheen) are just the pharmacists while you people (the Fuqahaa) are the doctors."[2]**

5. Ameerul Mu'mineen in Hadith Hadhrat Shu'ba bin Hajjaaj رحمه الله (passed away 160 A.H.) was one of the highest ranking narrators of all those whose narrations are included in the most authentic books of Ahadeeth. He had a very good relationship with Imaam Abu Haneefah رحمه الله. Note the following:

- Whenever he was asked about Imaam Abu Haneefah رحمه الله, he would always laud praises on him and sent him a gift every year.[3]
- When he heard that Imaam Abu Haneefah رحمه الله had passed away, he exclaimed, "*"Innaa Lillaahi wa Innaa Ilayhi Raaji'oon!* The light of knowledge had been

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[1] *Khayraatul Hisaan* pg.31.
[2] *Khayraatul Hisaan* pg.61
[3] *Muwaffaq* (Vol.2 Pg.46).

extinguished for the people of Kufa, the likes of which they will never see again."[1]

6. The Imaam of Ahadeeth Hadhrat Ali bin Madeeni رحمه الله (passed away 234 A.H.) was the teacher of personalities like Imaam Bukhaari رحمه الله, Imaam Abu Dawood رحمه الله and Imaam Dhahabi رحمه الله. He was always praising Imaam Abu Haneefah رحمه الله and said:

    - Men like Thowri, Ibn Mubaarak, Hammaad bin Zaid, Hishaam, Wakee, Abbaad bin Awaam and Ja'far bin Maymoon have all narrated from Imaam Abu Haneefah رحمه الله, who is absolutely reliable and no objections can be levelled against him."[2]

7. Imaamul Hadith Hadhrat Sufyaan Thowri رحمه الله (passed away 161 A.H.) was a Muhaddith of the highest calibre. Khateeb writes that all scholars are unanimous about his piety, reliability in knowledge and being an authority of the highest ranking. He was a contemporary of Imaam Abu Haneefah رحمه الله and both men revered and stood in great praise of each other. He had the following to say about Imaam Abu Haneefah رحمه الله:

    - "I swear by Allaah that he was extremely proficient in acquiring knowledge and abstained rigidly from what was forbidden. He practised only that which was conclusively proven from Rasulullaah ρ and he had profound knowledge of what was abrogated and what was not. He always researched the actions that Rasulullaah ρ did during the final stages of his life."[3]
    - Hadhrat Muhammad bin Muntashir San'aani رحمه الله says, "When I once went to Imaam Abu Haneefah رحمه الله, he asked me where I was coming from. When I told him that I had come from Imaam Sufyaan Thowri رحمه

[1] *Khayraatul Hisaan* pg.62.
[2] *Khayraatul Hisaan* pg.67.
[3] *Kurdi* (Vol.2 Pg.1) and *Khayraatul Hisaan* pg.30.

الله, he remarked, 'You are coming from a man whom even Alqama and Aswad would have been in need of had they been alive.' When I then went to Sufyaan رحمه الله and he asked me where I had come from, I replied that I had been with Imaam Abu Haneefah **رحمه الله**. He then remarked, 'You have come from a man who is the greatest Faqih on earth.'"[1]

- Whenever Hadhrat Sufyaan رحمه الله was asked an intricate ruling, he would say, "None would have a better answer to that other than the man we all envied." He would then turn to one of Imaam Abu Haneefah **رحمه الله**'s students and ask, "What has your teacher got to say about that?" After the student had given the reply, Imaam Sufyaan رحمه الله would take note of the reply and then issue his verdict according to the reply.[2]

8. The famous Muhaddith Hadhrat Yazeed bin Haaroon رحمه الله (passed away 206 A.H.) was a great scholar of his time. He studied under Imaam Abu Haneefah **رحمه الله**, Imaam Maalik رحمه الله and Hadhrat Sufyaan Thowri رحمه الله. Amongst the countless students he had, some of the famous ones were Hadhrat Ali bin Madeeni رحمه الله and Imaam Yahya bin Ma'een رحمه الله. Seventy thousand people would listen to his lessons at the same time and he performed the Isha and Fajr salaahs with the same wudhu for forty years[3]. He has the following to say about Imaam Abu Haneefah **رحمه الله**:

- Although I have studied under a thousand teachers, I have never found any with as much Taqwa and more truthful than Imaam Abu Haneefah **رحمه الله**.

- Hadhrat Muhammad bin Sa'd رحمه الله reports that Hadhrat Yazeed bin Haaroon رحمه الله was once with Hadhrat Yahya bin Ma'een رحمه الله, Hadhrat Ali bin

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[1] *Kurdi* (Vol.2 Pg.11).
[2] *Muwaffaq* (Vol.2 Pg.14).
[3] *Anwaarul Baari* (Vol.1 Pg.80).

Madeeni رحمه الله, Hadhrat Ahmad bin Hambal رحمه الله, Hadhrat Zuhary bin Harb رحمه الله and several others when a person arrived and posed a question. "Go to the men of knowledge," Hadhrat Yazeed رحمه الله told the man. "Are the men of knowledge and Ahadeeth not with you?" Hadhrat Ali bin Madeeni رحمه الله asked. Hadhrat Yazeed رحمه الله replied, "The people of knowledge are the students of Imaam Abu Haneefah رحمه الله. You people are the pharmacists."[1]

- When someone once asked him when it would be alright for a person to issue Fataawaa, he replied, "When the person is like Abu Haneefah رحمه الله." "It is strange that you should, say that," the person remarked. Hadhrat Yazeed رحمه الله then said, "You are right. I should actually give him more praise than that. I have not seen a man who is a greater Aalim and Faqih than he. I have also not seen anyone as pious as he. I once saw him sitting beside someone's door in the sweltering heat. When I asked him why he did not rather sit in the shade of the house, he replied that it was because the owner of the house owed him some money (he did not want to take from the person more than what was due by sitting in his shade as well). Hadhrat Yazeed then added, "Have you ever seen anyone more pious than that?"[2]

9. Imaam Wakee bin Jarraah رحمه الله (passed away 197 A.H.) was one of the senior teachers of the Imaams who compiled the six most authentic books of Ahadeeth.

   - A very intricate Hadith once came up in his lesson, which made him stand up and sigh, "Regret will be of no use now. Where is Imaam Abu Haneefah رحمه الله now to solve the problem for us?!"[3]

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[1] *Muwaffaq* (Vol.2 Pg.47).
[2] *Muwaffaq* (Vol.1 Pg.191).
[3] *Kurdi* (Vol.1 Pg.97).

- He once said, "I have never met a Faqih greater than Imaam Abu Haneefah رحمه الله nor anyone who performed salaah better than he."[1]

10. Haafidhul Hadith Hadhrat Imaam Abu Yusuf رحمه الله (passed away 182 A.H.) was an Imaam in the field of Ahadeeth and the teacher of great Muhadditheen like Imaams Ahmad, Yahya bin Ma'een and Imaam Ali bin Madeeni رحمهم الله . These were all senior teachers of the likes of Imaam Bukhaari رحمه الله and other Muhadditheen. Imaam Abu Yusuf رحمه الله was one of the senior students of Imaam Abu Haneefah رحمه الله and he has the following to say:

    - "He (Imaam Abu Haneefah رحمه الله) had a deeper understanding of authentic Ahadeeth than I had."[2]
    - I have never seen anyone more knowledge of the explanations of the Ahadeeth than Imaam Abu Haneefah رحمه الله. When we once differed on a ruling, we went to Imaam Abu Haneefah رحمه الله and he immediately presented a satisfying reply."[3]
    - Hadhrat Isaam bin Yusuf رحمه الله narrates that they once said to Imaam Abu Yusuf رحمه الله, "People agree that there is none more knowledge of Fiqh and Ahadeeth than you." To this, he remarked, "My knowledge compared to that of Imaam Abu Haneefah رحمه الله is like a little stream beside the Euphrates River."[4]

11. When Imaam Shaafi'ee رحمه الله once asked Hadhrat Imaam Maalik رحمه الله (passed away 179 A.H.) about several Muhadditheen, he described their conditions to him. when he then enquired about Imaam Abu Haneefah رحمه الله, Imaam

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[1] *Hadaa'iqe Hanafiyyah* pg.78.
[2] *Khayraatul Hisaan* pg.61.
[3] *Muwaffaq* (Vol.2 Pg.43).
[4] *Muwaffaq* (Vol.2 Pg.42).

Maalik رحمه الله exclaimed, "Subhaanallaah! I have never seen any like him."[1]

12. Imaam Shaafi'ee رحمه الله (passed away 204 A.H.) said:

    - "People are all successors of Imaam Abu Haneefah رحمه الله in Fiqh because I have never known a Faqih greater than him."
    - "Anyone who does not refer to his (Imaam Abu Haneefah رحمه الله's) books can never have a deep understanding of knowledge and of Fiqh."[2]

13. Imaam Ahmad bin Hambal رحمه الله (passed away 241 A.H.) said, "In terms of his piety, abstinence and preference of the Aakhirah over this world, he (Imaam Abu Haneefah رحمه الله) had reached a level that no other has."[3]
14. Imaamul Hadith Hadhrat Mis'ar bin Kudaam رحمه الله was a teacher of the compilers of the *Sihaah Sitta* and the Imaam of the Muhadditheen. This testimony is given by Ameerul Mu'mineen in Ahadeeth Hadhrat Abdullaah bin Mubaarak رحمه الله. He was also the teacher of the likes of Hadhrat Sufyaan Thowri رحمه الله and Hadhrat Sufyaan bin Uyaynah رحمه الله. Despite this, he studies under Imaam Abu Haneefah رحمه الله. Hadhrat Abdullaah bin Mubaarak رحمه الله says, "I saw Mis'ar in the lessons of Imaam Abu Haneefah رحمه الله, asking questions and deriving great benefit."[4] He has the following to say about Imaam Abu Haneefah رحمه الله:

    - "I am sure that a person has nothing to fear if he places Imaam Abu Haneefah رحمه الله as a medium between himself and Allaah and if he follows his Madh'hab."[5]

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[1] *Khayraatul Hisaan* pg.29.
[2] *Khayraatul Hisaan* pg.29.
[3] *Khayraatul Hisaan* pg.30 and *Shaami* (Vol.1 Pg.56).
[4] *Khayraatul Hisaan* pg.29.
[5] *Hadaa'iqe Hanafiyyah* pg.79.

- Hadhrat Mis'ar رحمه الله once passed by Imaam Abu Haneefah رحمه الله and his students as they were discussing something point of Fiqh in raised voices. He stood there for a while and then remarked, "These people are better than the martyrs, worshippers and those who perform Tahajjud. They are reviving the Sunnah of Rasulullaah ρ and removing the ignorant from their ignorance."[1]

15. The famous Muhaddith Imaam Awzaa'ee رحمه الله (passed away 157 A.H.) was a great Muhaddith, Faqih and Mujtahid. Hadhrat Abdullaah bin Mubaarak رحمه الله relates, "Imaam Awzaa'ee رحمه الله once asked me, 'Who is this perpetrator of Bid'ah in Kufa who is known as Abu Haneefah?' I gave no reply, but later presented to him some rulings that Imaam Abu Haneefah رحمه الله had passed. After reading through them, Imaam Awzaa'ee رحمه الله saw that they were written by someone called Nu'maan bin Thaabit. He therefore asked me who this man was. I replied, 'He is a man whom I have met in Iraq.' Imaam Awzaa'ee رحمه الله then remarked, 'This is a gem from amongst scholars. Go and learn as much as you can from him.' I then told him, 'He is the same Abu Haneefah whom you have been preventing me from.' When Imaam Awzaa'ee رحمه الله later met Imaam Abu Haneefah رحمه الله in Makkah, the two started discussing some rulings, to which Imaam Abu Haneefah رحمه الله gave excellent explanations. After they had separated, Imaam Awzaa'ee رحمه الله said, 'I envy him for this tremendous knowledge and accomplishment of his wit. I repent from the error I had been living with. Stay close to him because he is not at all as I have been told."[2]

16. The great Muhaddith Makki bin Ibraheem رحمه الله (passed away 215 A.H.) was a Faqih, a great scholar of Ahadeeth and the teacher of Imaam Bukhaari رحمه الله and Allaama Ibn Ma'een رحمه

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[1] *Muwaffaq* (Vol.1 Pg.249).
[2] *Khayraatul Hisaan* pg.30 and *Kurdi* (Vol.1 Pg.39).

الله. He used to say that Imaam Abu Haneefah رحمه الله was the most knowledgeable scholar of the time.[1]

17. The famous Muhaddith, Aalim and saint Hadhrat Shaqeeq Balkhi رحمه الله (passed away 194 A.H.) said that Imaam Abu Haneefah رحمه الله was the most knowledgeable of all people, the most pious of all, the most devoted worshipper of all, the most revered and most cautious.[2]

Apart from the above personalities, there have been many other Muhadditheen who have heaped praises upon Imaam Abu Haneefah رحمه الله and testified to his veracity and dependability and to the fact that he was a Haafidh of Ahadeeth and a peerless Faqih. His great status can be ascertained from the fact that countless great Muhadditheen were his students and the compilers of the Sihaah Sitta were students of his students.

Despite these accolades there are people who still say that Imaam Abu Haneefah رحمه الله was a weak narrator and knew only 14 to 17 Ahadeeth. If this is not prejudiced and a result of warped thinking, it can be nothing else.

Hadhrat Abdullaah bin Mubaarak رحمه الله reports that Imaam Abu Haneefah رحمه الله once saw himself in a dream digging the grave of Rasulullaah ρ and collecting Rasulullaah ρ's blessed bones. When someone asked for the interpretation from the famous dream interpreter Hadhrat Ibn Seereen رحمه الله, Hadhrat Ibn Seereen رحمه الله asked who it was that saw the dream. The person remained silent and again asked for the interpretation. When Hadhrat Ibn Seereen رحمه الله again asked who it was that saw the dream, the person again held his peace. Upon the third request, Hadhrat Ibn Seereen رحمه الله said, "The person who saw this dream will make knowledge so apparent that none before him as ever done."[3]

[1] *Khayraatul Hisaan* pg.29.
[2] *Hadaa'iqe Hanafiyyah* pg.76.
[3] *Mirqaat* (Vol.1 Pg.28).

Hadhrat Ali bin Uthmaan Hajweri Lahori رحمه الله who passed away in the year 465 A.H. was regarded as one of the leading Awliyaa of the Indian subcontinent. He wrote the famous book *Kashful Hujoob* and was a staunch Hanafi. He narrates an interesting dream he had when he fell asleep at the tomb of Hadhrat Bilaal τ in Damascus. He says that he saw himself in Makkah and that Rasulullaah ρ entered the Masjidul Haraam through the Banu Shaybah gate. He saw that just as a loving elders takes a child in his lap, Rasulullaah ρ took a man in his lap. Hadhrat Ali bin Uthmaan رحمه الله ran towards Rasulullaah ρ and started to kiss his hands and feet. Rasulullaah ρ knew that he wished to know who the person in his lap was, so he informed him that the man was Hadhrat Ali bin Uthmaan رحمه الله's Imaam and the Imaam of his nation, namely Imaam Abu Haneefah رحمه الله.

Hadhrat Ali bin Uthmaan رحمه الله says that this gave him great hope in his people and told him that Imaam Abu Haneefah رحمه الله was one of those people lived only to keep the Shari'ah alive and he sacrificed himself only to keep alive what Rasulullaah ρ brought. Because his condition was such, he was therefore not likely to make any mistakes in his judgement.

THE PROOF FOR COLLECTIVE DU'AA AFTER THE FARDH SALAAH

Question: Respected Mufti Sahib. You had stated in a previous Fatwa that just as the Sahabah ψ and pious predecessors performed salaah in Jamaa'ah, they also made du'aa collectively. When substantiation was asked, you referred to a previous Fatwa in another volume of *Fataawaa Raheemiyyah*. However, after looking at the Fatwa you referred to, I did not find substantiation for raising the hands and making du'aa in Jamaa'ah after the Fardh salaah. I would be grateful if you could state the proofs to substantiate that the

Sahabah ψ and pious predecessors made du'aa in Jamaa'ah after the Fardh salaah.

Answer: The virtues of du'aa are tremendous. Allaah says:

> **"And when My bondsmen ask you about Me, verily I am close by. I answer the prayer of the caller when he calls"**[1]

> **"Your Rabb says, "Supplicate *(make du'aa)* to Me, I shall respond. Verily, those who are too proud to worship Me shall soon enter Jahannam in humiliation."**[2]

> **"Call your Rabb in humility and in secrecy.**[3]

The Ahadeeth also cite great virtues. Some of them are:

- Hadhrat Anas τ reports that Rasulullaah ρ said, "Du'aa is the essence of worship."[4]
- Hadhrat Nu'maan bin Basheer τnarrates that Rasulullaah ρ said, "Du'aa really is worship." Rasulullaah ρ then recited the verse: "**Your Rabb says, "Supplicate *(make du'aa)* to Me, I shall respond**".[5]
- Hadhrat Abu Hurayrah τ reports that Rasulullaah ρ said, "There is nothing that Allaah honours more than du'aa."[6]
- Hadhrat Salmaan τ narrates that Rasulullaah ρ said, "Verily your Rabb is bashful and benevolent and feels shy to return a person empty-handed when he raises his hands in du'aa."[7]

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[1] Surah Baqarah, verse 186.
[2] Surah Mu'min, verse 60.
[3] Surah A'raaf, verse 55.
[4] *Mishkaatul Masaabeeh* (Pg.194).
[5] Ahmad, Tirmidhi, Abu Dawood, Nasa'ee and Ibn Maajah, as quoted in *Mishkaatul Masaabeeh* (Pg.194).
[6] Tirmidhi, as quoted in *Mishkaatul Masaabeeh* (Pg.194).
[7] *Mishkaatul Masaabeeh* (Pg.195).

- Hadhrat Abdullaah bin Umar τ narrates that Rasulullaah ρ said, “The one for whom Allaah opens the doors of du’aa has had the doors of mercy opened to him.”[1]
- Hadhrat Abdullaah bin Umar τ narrates that Rasulullaah ρ instructed, “Ensure that you always make du’aa, O servants of Allaah!”[2]

Amongst the etiquette of du’aa is that a person raises his hands and then wipes them over his face when he is finished. Hadhrat Maalik bin Yasaar τ narrates that Rasulullaah ρ said, “When you ask from Allaah, ask with the insides of your palms and not with the backs of your hands.” Another narration from Hadhrat Abdullaah bin Abbaas τ states that Rasulullaah ρ said, “When you ask from Allaah, ask with the insides of your palms and not with the backs of your hands. Then when you have finished, wipe them over our faces.”[3]

Hadhrat Saa’ib bin Yazeed τ reports from his father that whenever Rasulullaah ρ made du’aa, he raised his hands and wiped them over his face when he was done.[4]

Hadhrat Umar τ reports that whenever Rasulullaah ρ raised his hands to make du’aa, he would never lower them without first wiping them over his face.[5]

Raising the hands when making du’aa is a sign of acceptance. Hadhrat Abu Hurayrah τ reports that Rasulullaah ρ said, “Whenever a person asked of Allaah with his hands stretched out to Allaah and his armpits exposed, Allaah grants it to him as long as he is not hasty.” “O Rasulullaah ρ!” the Sahabah ψ enquired, “How will he be

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[1] *Mishkaatul Masaabeeh* (Pg.195).
[2] *Mishkaatul Masaabeeh* (Pg.195).
[3] *Mishkaatul Masaabeeh* (Pg.195).
[4] *Mishkaatul Masaabeeh* (Pg.196).
[5] Tirmidhi, as quoted in *Mishkaatul Masaabeeh* (Pg.195).

hasty?" Rasulullaah ρ replied, "When he says, 'I have asked and asked and not received anything.'"[1]

All of the above highlight the importance of du'aa and the humility expressed in stretching one's hands before Allaah is not to be found in any other method of worship. It is because of this that Rasulullaah ρ termed it the essence of worship. Anyone looking on will realise that the person making du'aa is in need and admits to the fact that Allaah is the only One worthy of worship and truly Independent.

The Ahadeeth have specified various occasions for du'aa. We shall now concern ourselves with the Ahadeeth dealing with making du'aa after salaah. It becomes apparent that du'aa after salaah holds special virtues and has been noted to be a time when du'aas are accepted. In fact, warnings have been cited for not making du'aa on this occasion. Here are some Ahadeeth encouraging du'aa after salaah:

- Hadhrat Mu'aadh bin Jabal τ reports that Rasulullaah ρ said to him, "O Mu'aadh! I advise you never to leave out saying after every salaah:

  أَللّهُمَّ أَعِنِّي عَلَى ذِكْرِكَ وَ شُكْرِكَ وَ حُسْنِ عِبادَتِك

  'O Allaah! Assist me to remember You, to be grateful to You and to worship You in a most beautiful manner.'"[2]

- Hadhrat Abu Umaamah τ reports that someone once asked Rasulullaah ρ which du'aa was most readily accepted. Rasulullaah ρ replied, "The du'aa made during the last portion of the night and the du'aa made after every Fardh salaah."[3] The

[1] Tirmidhi (Vol.1 Pg.220).
[2] Ahmad, Abu Dawood and Nasa'ee, as quoted in *Bulooghul Maraam* (Pg.37).
[3] *Mishkaatul Masaabeeh* (Pg.89).

two Ahadeeth above make it apparent that making du'aa after the **Fardh salaah is Masnoon.**[1]

- Hadhrat Anas τ reports from Rasulullaah ρ that it becomes binding on Allaah not to return a person empty-handed if he raises his hands after every salaah and prays to Allaah saying, "O Allaah, my Ilaah, Ilaah of Ibraheem υ, Is'haaq υ, Ya'qoob υ, Jibra'eel υ, Mikaa'eel υ and Israafeel υ! I implore You to accept my plea because I am distressed, to protect me in my Deen because I am being tested, to grant me Your forgiveness because I am a sinner and to purge poverty from me because I am destitute."[2]

Replying to a question, Allaama Abdul Hayy Lakhnowi رحمه الله quotes the above narration and states that an objection has been raised stating that the chain of this Hadith's narrators includes a person named Abdul Azeez bin Abdur Rahmaan, about whom critics have objected. However, such a Hadith is still sufficient to prove something **that is Mustahab,** as stated by Ibnul Humaam رحمه الله.

It must also be borne in mind that despite the nature of the Hadith, this and many such Ahadeeth have been widely accepted, which affords them credibility. This fact has also been stated by one of the leaders of the Ghayr Muqallideen Moulana Thanaa'ullaah Amritsari.[3]

Warnings Against Not Making Du'aa After Salaah

- Hadhrat Fadhl bin Abbaas τ reports that Rasulullaah ρ said, "Salaah comprises segments of two Rakaahs with the Tashahhud after every two Rakaahs together with humility and with raising

[1] *Daleelut Taalib* pg.323.
[2] *Amalul Yowm wal Layl* Pg.38.
[3] *Akhbaar Ahle Hadith* 19 april 1917.

the hands after them, saying, “O my Rabb! O my Rabb!” Rasulullaah ρ then rebuked those who did not do this.[1]

The author of *Kowkabud Durri*[2] writes: “This Hadith explicitly proves raising the hands when making du’aa after salaah. This is the general practice, which only ignoramuses criticise.”

Several du’aas after salaah have been reported from Rasulullaah ρ. Here are some of them:

1. In a letter[3] to Hadhrat Mu'aawiya τ, Hadhrat Mughiera bin Shu’ba τ wrote that after every salaah, Rasulullaah ρ used to recite:

* لا إِلَهَ إِلاَّ اللهُ وَحْدَهُ لا شَرِيْكَ لَهُ لَهُ الْمُلْكُ وَ لَهُ الْحَمْدُ وَ هُوَ عَلَى كُلِّ شَيْءٍ قَدِيْرٌ
اللَّهُمَّ لا مانِعَ لِما أَعْطَيْتَ وَ لا مُعْطِيَ لِما مَنَعْتَ وَ لا يَنْفَعُ ذَا الْجَدِّ مِنْكَ الْجَدّ

2. Hadhrat Ummu Salama رضي الله عنها reports[4] that after making the Salaam upon completing the Fajr salaah, Rasulullaah ρ used to make du’aa saying:

اللَّهُمَّ إِنِّي أَسَأَلُكَ عِلماً نافِعاً و رِزقاً طَيِّباً و عَمَلاً مُتَقَبَّلاً

3. Hadhrat Aa'isha رضي الله عنها narrates[5] that after completing the salaah, Rasulullaah ρ sat only as long as it took to recite:

أَللّهُمَّ أَنْتَ السَّلامُ وَ مِنْكِ السَّلام تَبارَكْتَ يا ذَا الْجَلالِ وَ الإِكْرام

[1] Tirmidhi (Vol.1 Pg.50).
[2] Vol.1 Pg.171
[3] Bukhaari (Vol.1 Pg.117), Abu Dawood (Vol.1 Pg.218), *Mishkaatul Masaabeeh* (Pg.88).
[4] Ahmad and Ibn Maajah, as quoted in *I’laa’us Sunan* (Vol.3 Pg.202).
[5] *Mishkaatul Masaabeeh* (Pg.88).

4. Hadhrat Thowbaan τ reports[1] that when Rasulullaah ρ completed his salaah, he would recite "أَسْتَغْفِرُ الله" thrice and then say:

أَللّهُمَّ أَنْتَ السَّلامُ وَ مِنْكِ السَّلام تَبارَكْتَ يا ذَا الْجَلالِ وَ الإِكْرام

5. Hadhrat Sa'd bin Abi Waqqaas τ reports[2] that Rasulullaah ρ used to seek Allaah's protection after every salaah, using the words:

اللَّهُمَّ إِنِّي أَعوذُ بِكَ مِنَ الْبُخْلِ وَ أَعوذُ بِكَ مِنَ الْجُبْنِ وَ أَعوذُ بِكَ مِن أَنْ أُرَدُّ اِلَى أَرْذَلِ الْعُمُرِ وَ أَعوذُ بِكَ مِن فِتْنَةِ الدُّنْيا وَ أَعوذُ بِكَ مِن عَذابِ الْقَبْرِ

6. Hadhrat Ali τ reports[3] that after Rasulullaah ρ completed his salaah, he would say:

اَللَّهُمَّ اغْفِرْ لِي ما قدَّمتُ وما اخَّرتُ وما اسْرَرْتُ وما أَعلَنْتُ وما أَسْرَفْتُ وما أَنْتَ أَعلَمُ بِهِ مِنِّي أَنْتَ الْمُقَدِّمُ و أَنْتَ الْمُؤَخِّرُ لا إِلَهَ إِلاَّ أَنْتَ

7. Hadhrat Aswad Aamiri τ reports from his father that he performed the Fajr salaah behind Rasulullaah ρ, after which Rasulullaah ρ turned around, raised his hands and made du'aa.[4]

8. When Hadhrat Abdullaah bin Zubayr τ saw a person raise his hands to make du'aa before completing the salaah, he waited for the man to complete before saying, "Rasulullaah ρ never raised his hands to make du'aa until he had completed his salaah."[5]

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[1] Muslim, as quoted in *Bulooghul Maraam* pg.37.
[2] Bukhaari, as quoted in *Bulooghul Maraam* pg.37.
[3] Abu Dawood (Vol.1 Pg.219).
[4] *Imdaadul Fataawaa* (Vol.1 Pg.798) and *Nafaa'isul Marghoobah* (Pg.34).
[5] Ibn Abi Shaybah, reporting with a reliable chain of narrators, as quoted in *I'laa'us Sunan* (Vol.3 Pg.202).

All of the above make it apparent that Rasulullaah ρ made du'aa after salaah and it is not vague to any seeker of the truth that the Sahabah ψ also participated in the du'aa. How can it be that a Sheikh makes du'aa in the presence of his followers and they do not follow him? Will the students in a lesson merely look at their teacher when he raises his hands to make du'aa? How then can it be imagined that the Sahabah ψ will not join in on the du'aa made by the leader of both worlds Rasulullaah ρ? They would never deprive themselves of such tremendous blessings.

Hadhrat Anas τ reports that a villager once came to Rasulullaah ρ on a Friday and said, "O Rasulullaah ρ! The animals, family and people are being destroyed (because of the drought)." Rasulullaah ρ then raised his hands to make du'aa and the Sahabah ψ all also raised their hands in du'aa."[1]

This Hadith makes it clear that the Sahabah ψ raised their hands in du'aa with Rasulullaah ρ, so how would they not do so when Rasulullaah ρ made du'aa after salaah? Also sufficient as proof for collective du'aa is the practice of the Sahabah ψ, the Taabi'een and all our pious predecessors after them. **Hadhrat Shah Wali'ullaah Muhaddith Dehlawi رحمه الله says about acts that have been passed on from generation to generation that they are an extremely great source for deriving law.**[2]

A person demanding further proof after all of the above is like the hopeless servant whose master had to give a list of tasks to be done. As they were travelling one day, the master's shawl fell off and he realised it only after they had reached their destination. "The shawl fell off some while ago," the servant informed him. "Then why did you not tell me or at least pick it up?" the master fretted. The servant then took out the list of tasks and asked, "Show me where on this list does it state that I am to inform my master when his shawl falls off?"

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[1] Bukhaari (Vol.1 Pg.140).
[2] *Izaalatul Khifaa* (Pg.85).

Just like this, the proofs are clear, yet some people demand to know precisely which Hadith proves that collective du'aa is to be made.

It suffices to know that all of the Ummah has been practising this and it has been advocated by the Muhadditheen and the Fuqahaa. **Imaam Tirmidhi رحمه الله says that the Fuqahaa are those who best understand the meanings of the Ahadeeth.**

Shah Wali'ullaah Muhaddith Dehlawi رحمه الله writes, "Most of the people who claim to be people of the Ahadeeth concern themselves only with collecting chains of narrators and determining Ahadeeth which are *Ghareeb* or *Shaadh* from many that are either *Mowdoo* or *Maqloob*. They do not concern themselves with the words of the Hadith, do not understand the meanings of the Ahadeeth and cannot derive rulings from its depths. These people condemn the jurists and claim that they oppose the Qur'aan and the Ahadeeth without realising that they can never attain the knowledge that Allaah had granted to the jurists. They are really sinful for making such statements."[1]

When people as great as the Fuqahaa have advocated this practice, can one say that they did so without proof? We shall now present some of their quotations on the matter.

Allaama Ibn Hajar Asqalaani رحمه الله writes, "The preferred opinion is that the Imaam and followers make du'aa silently unless there is a need to teach them."[2]

Kowkabud Durri (Vol.2 Pg.291) states: "It is necessary on this occasion to make a separate du'aa and the one who forsakes making du'aa after salaah needs to be disciplined since there can be no excuse for this." The marginal notes of this extract states that people ought to take advantage of the du'aa after salaah because the Ahadeeth state that it is accepted. A narration from Hadhrat Abdullaah bin Abbaas τ quotes from Rasulullaah ρ that the person who does not make

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[1] *Insaaf* pg.53.
[2] *Fat'hul Baari* (Vol.2 Pg.269).

du'aa after salaah is deficient. This means that when a person does not raise his hands to beg from Allaah after performing salaah, his efforts amount to nothing. This is stated in *Tanweer*. Hadhrat Hasan Basri رحمه الله has a neighbour who carried firewood on his back. Noticing that the man rushed out of the Masjid as soon as the Imaam made Salaam, Hadhrat Hasan رحمه الله asked him, "Why do you not sit for even a little while (to make du'aa)? If you have no needs for the Aakhirah, you must have some needs for this world. Sit awhile after the salaah to make du'aa for an animal to carry your load for you." This is quoted in *Khulaasa*.

It was because the practice of making du'aa after salaah was common that Hadhrat Hasan رحمه الله advised his neighbour to also make du'aa.

Hadhrat Abu Umaamah τ reports that someone once asked Rasulullaah ρ which du'aa was most readily accepted. Rasulullaah ρ replied, "The du'aa made during the last portion of the night and the du'aa made after every Fardh salaah."[1] Commenting on this narration, Hadhrat Moulana Zafar Ahmad Thanwi رحمه الله writes[2] that the Hadith makes it apparent that du'aa is to be made after the Fardh salaah. The stance of Allaama Ibn Qayyim رحمه الله is therefore incorrect that professes that it was not the practice of Rasulullaah ρ to make du'aa after salaah, facing either the Qibla or the followers[3]. This practice has been both stated and demonstrated by Rasulullaah ρ and this Hadith from Hadhrat Abu Umaamah τ encourages du'aa after the Fardh salaah. The practice of our pious predecessors is therefore not unfounded.

Commenting on the above Hadith and that of Hadhrat Mu'aadh bin Jabal τ, Moulana Nawaab Siddeeq Hasan states that the two Ahadeeth make it apparent that making du'aa after the Fardh salaah is Masnoon.[4]

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[1] *Mishkaatul Masaabeeh* (Pg.89).
[2] *I'laa'us Sunan* (Vol.3 Pg.199).
[3] *Zaadul Ma'aad* (Vol.1 Pg.67).
[4] *Daleelut Taalib* pg.323.

Fataawaa Bazzaaziyya (Vol.4 Pg.42) states: "The Imaam may make du'aa aloud when he wishes to educate the people and they should make du'aa silently. However, when they have learnt the du'aas, both the Imaam and the followers should make du'aa silently. **It will not be an act of Bid'ah if he makes du'aa aloud."**

Imdaadul Fattaah (Pg.137) states that the Imaam and followers should make du'aa for themselves and for all the Muslims, using the comprehensive du'aas reported (in the Qur'aan and Ahadeeth). This is because of the Hadith of Hadhrat Abu Umaamah τ in which someone asked Rasulullaah ρ which du'aa was most readily accepted. Rasulullaah ρ replied, **"The du'aa made during the last portion of the night and the du'aa made after every Fardh salaah."** This is reported by Tirmidhi and Nasa'ee. Rasulullaah ρ himsefl made du'aa after every salaah, as reported by Bukhaari in his *Taareekh Awsat*.

He also states that the hands should be raised level with the chest with the palms towards the face with humility and composure. The du'aa should then be ended by wiping the hands over the face while reciting:

سُبْحَانَ رَبِّكَ رَبِّ الْعِزَّةِ عَمَّا يَصِفُونَ *
وَسَلَامٌ عَلَى الْمُرْسَلِينَ * وَالْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ

This is based on a Hadith in Ibn Maajah in which Hadhrat Abdullaah bin Abbaas τ states that Rasulullaah ρ said, "When you ask from Allaah, ask with the insides of your palms and not with the backs of your hands. Then when you have finished, wipe them over our faces." Hadhrat Umar τ reports that whenever Rasulullaah ρ raised his hands to make du'aa, he would never lower them without first wiping them over his face. This is reported in Tirmidhi.[1]

[1] *Imdaadul Fattaah* (Pg.137), commentary of *Nurul Idhaa* (Pg.85).

Hakeemul Ummah Hadhrat Moulana Ashraf Ali Thanwi رحمه الله writes: "After praising Allaah and sending salutations to Rasulullaah ρ, I wish to state that this is a summary of the booklet *Maslakus Saadaat ilaa Sabeelid Da'waat* written by Sheikh Muhammad Ali bin Sheikh Husayn a Maaliki Mufti residing in Makkah Mukarramah, which he wrote in 1321 A.H. It researches the laws of du'aa, **especially proving the fact that it is Mustahab for the Munfarid, Imaam and Muqtadi to make du'aa after salaah.** I have written this summary to silence those bold people who claim that making du'aa after salaah is an act of Bid'ah and have named the book *Istihbaabud Da'waat Aqeebud Salawaat* …" This entire booklet should be studied.[1]
Hadhrat Mufti Muhammad Kifaayatullaah رحمه الله states that making du'aa after salaah was a practice and Sunnah of Rasulullaah ρ. This is stated in his booklet *Nafaa'isul Marghooba fid Du'aa ba'dal Maktooba,* which is also worth studying.

The Grand Mufti of Pakistan Hadhrat Mufti Muhammad Shafee رحمه الله also states that the Imaam and Muqtadis ought to make du'aa silently.[2]

The book *Miftaahul Jannah*[3] states that the Imaam may turn to the right or left after completing the salaah and make any du'aa. The best is to recite Aayatul Kursi once and to then raise the hands level with the ears, exposing the armpits and reciting:

رَبَّنَا لاَ تُزِغْ قُلُوبَنَا بَعْدَ إِذْ هَدَيْتَنَا وَهَبْ لَنَا مِن لَّدُنكَ رَحْمَةً إِنَّكَ أَنتَ الْوَهَّابُ

Behisti Gohar (Pg.36) also states that the Imaam and Muqtadis ought to raise their hands after salaah. The Muqtadis may make their own du'aas or they may say Aameen to the du'aa of the Imaam. It also explains that the du'aa should not be long after salaahs that are followed by Sunnah and Nafl salaahs such as Zuhr, Maghrib and Isha. As for those not followed by Sunnah and Nafl salaahs, the du'aa may be as long as one pleases and the Imaam may turn to the

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[1] *Imdaadul Fataawaa* (Vol.1 Pg.796).
[2] *Ahkaame Du'aa* pg. 11.
[3] Pg. 68.

right or left to face the people when making du’aa as long as he does not face a person still performing salaah. The marginal notes quote this from *Fataawaa Aalamgeeri*.

Hadhrat Moulana Yusuf Ludhyanwi رحمه الله makes a wonderful remark when he states that the du’aa after a collective Ibaadah needs to be collective and the du’aa after an individual Ibaadah needs to be individual.[1]

All of the above prove that by the grace of Allaah, the Fatwa stated in *Fataawaa Raheemiyyah* conforms with the Ahadeeth, Fiqh and the practice of our pious predecessors. And Allaah knows best what is most correct.

PERFORMING THE JANAAZAH SALAAH IN A MASJID

Question: The Ghayr Muqallid Molvi Abdul Jaleel Saamrodi has published a newsletter in Gujarati with a heading in red stating, “Performing the Janaazah salaah inside the Masjid according to the Hanafi Madh’hab”. He quotes from Mulla Ali Qaari رحمه الله of the 10th century that according to a narration of Muslim, Hadhrat Aa'isha رضي الله عنها swore on oath that Rasulullaah ρ performed the Janaazah salaah for the two sons of Baydaa inside the Masjid.

He writes further that:

- the Sahabah ψ performed the Janaazah salaah of Hadhrat Abu Bakr τ and Hadhrat Umar τ inside the Masjid
- at the worst, the act may be regarded only as Makrooh Tanzeehi

[1] *Ikhtilaafe Ummah* pg.118.

- the practice of performing the Janaazah salaah in the Masjid is still in vogue in Makkah today

There is a Hadith quoted in *Hidaayah* stating, "There is no reward (or "nothing" according to another narration) for the person who performs the Janaazah salaah in the Masjid." Molvi Saamrodi says that the words "there is no reward" is not to be found in any book of Ahadeeth. Quoting from Qutbuddeen Hanafi رحمه الله, he asserts that it is permissible and not at all Makrooh to perform the Janaazah salaah in the Masjid.

Many people are now in doubt after this publication. Could you please clarify the situation with references.

Answer: The preferred opinion, the *Zaahir Riwaayah* and the opinion according to which Fataawaa are issued (*Muftaa Bihi*) state that it is Makrooh and forbidden to place the body inside the Masjid and to perform the Janaazah salaah there without a valid reason.

1. Rasulullaah ρ stated, "There shall be nothing for the one who performs the Janaazah salaah in the Masjid".[1] This Hadith is reliable and whatever has been said against it is wrong[2]. This narration of Abu Dawood contains the word "nothing", whereas other scripts contain the words "there is no reward". The research of Muhaddith Khateeb رحمه الله as well as that of Ibn Abdul Birr رحمه الله concur that the word is "nothing".[3]

2. Narrations from Hadhrat Imaam Muhammad رحمه الله of the 2nd century (passed away 189 A.H.), Hadhrat Imaam Abu Yusuf رحمه الله and Imaam Abu Haneefah رحمه الله all unanimously state that it is Makrooh to perform the Janaazah salaah inside the Masjid.[4]

3. Hadhrat Imaam Tahaawi رحمه الله of the 3rd Islaamic century (passed away 321 A.H.) states that it has been reported from Imaam

[1] Abu Dawood (Vol.2 Pg.98) and Ibn Maajah (Vol.1 Pg.238).
[2] *Zaadul Ma'aad* (Vol.1 Pg.144).
[3] Ayni's commentary of *Hidaayah* (Vol.1 Pg.1109) and *Umdatul Qaari* (Vol.8 Pg.118).
[4] *Jaami'us Sagheer* (Pg.183).

Muhammad رحمه الله, Imaam Abu Yusuf رحمه الله and Imaam Abu Haneefah رحمه الله that performing the Janaazah salaah in the Masjid is Makrooh.[1]

4. Imaam Abul Hasan Qudoori رحمه الله of the 4th and 5th Islaamic century (passed away 428 A.H.) clearly states, "The Janaazah salaah in Jamaa'ah cannot be performed in the Masjid."[2]

5. Faqih Imaam Sarakhsi رحمه الله of the 5th Islaamic century (passed away 490 A.H.) also states that according to the Hanafi Madh'hab, it is Makrooh to perform the Janaazah salaah inside the Masjid.[3]

6. Imaam Taahir Bukhaari رحمه الله of the 6th Islaamic century (passed away 542 A.H.) says, "It is Makrooh to perform the Janaazah salaah in a Masjid where salaah in Jamaa'ah takes place."[4]

7. Faqih Abul Barakaat Nasafi رحمه الله of the 7th and 8th Islaamic century (passed away 710 A.H.) also says that the Janaazah salaah may not be performed in the Masjid.[5]

8. The Faqih Sadrush Shari'ah رحمه الله of the 8th Islaamic century (passed away 747 A.H.) also says that it is Makrooh.[6]

9. Haafidhud Deen Shihaab Kurdi رحمه الله of the 9th Islaamic century (passed away 827 A.H.) says the same.[7]

1. Faqih Allaama Ibn Nujaym Misri رحمه الله of the 10th Islaamic century (passed away 969 A.H.) stated that it is forbidden to bring the body of a deceased person into the Masjid.[8]

10. Allaama Muhaddith Mulla Ali Qaari رحمه الله of the 11th Islaamic century (passed away 1014 A.H.), whom is quoted in the question, said,

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[1] *Sharhu Ma'aanil Aathaar* (Vol.1 Pg.285).
[2] *Qudoori* (Pg.35).
[3] *Mabsoot* (Vol.2 Pg.68).
[4] *Khulaasatul Fataawaa* (Vol.1 Pg.222).
[5] *Kanzud Daqaa'iq* (Pg.25).
[6] *Mukhtasar Wiqaayah* (Pg.23).
[7] *Fataawaa Bazzaaziyyah* (Vol.1 Pg.32)
[8] *Ashbaa Wan Nadhaa'ir* (Pg.557).

> "It is Makrooh according to us and according to Imaam Maalik رحمه الله to perform the Janaazah salaah in a Masjid that has not been built for the purpose (of performing Janaazah salaah).[1]

As for the narration of Hadhrat Aa'isha رضي الله عنها, the Janaazah salaah was performed in the Masjid at the time because of certain constraints. A general ruling cannot be proven from this. The Janaazah salaahs of Hadhrat Abu Bakr τ and Hadhrat Umar τ could not be performed anywhere else but in the Masjid because the two of them were buried in Rasulullaah ρ's room (which falls inside the Masjid).

Furthermore, the Masjidul Haraam is exempted from the prohibition because it has been designated for the performance of the five salaahs, the Eid salaah, the Jumu'ah salaah, the salaahs for solar and lunar eclipses, Salaatul Istisqaa and many other purposes.[2]

The gist of it all is that Ulema have regarded the Janaazah salaah to be Makrooh in the Masjid for the past 1300 years, as has been made clear above. For further reference, please refer to the following books:

- *Fataawaa Qaadhi Khan* (Vol.1 Pg.32)
- *Fataawaa Siraajiyyah (Pg.23)*
- *Fataawaa Aalamgeeri* (Vol.1 Pg.165)
- *Fataawaa Barhana* (Vol.1 Pg.165)
- *Sharhul Wiqaayah* (Vol.1 Pg.161)
- *Hidaayah* (Vol.1 Pg.255)
- *Durrul Mukhtaar with Shaami (Vol.1 Pg.828)*
- *Tahtaawi (Vol.1 Pg.605)*
- *Bahrur Raa'iq (Vol.2 Pg.187)*
- *Minhatul Khaaliq (Vol.2 Pg.187)*
- *Majma'ul Anhur (Vol.1 Pg.184)*
- *Rasaa'ilul Arkaan (Pg.185)*

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[1] *Sharhun Niqaayah* (Vol.1 Pg.136).
[2] *Sharhun Niqaayah* (Vol.1 Pg.136).

- *Naf'ul Mufti was Saa'il (Pg.143)*
- *Kabeeri (Pg.545)*
- *Sagheeri (Pg.291)*
- *Nurul Idhaa (Pg.138)*
- *Maraaqil Falaah (Pg.117)*
- *Zujaajatul Masaabeeh (Vol.1 Pg.462)*
- *Sharhu Safris Sa'aadah (Pg.256)*
- *Fat'hul Mulhim (Vol.2 Pg.495)*
- *Ayni's commentary of Kanzud Daqaa'iq (Pg.67)*
- *Tab'yeenul Haqaa'iq (Vol.1 Pg.243)*
- *Mustakhlisul Haqaa'iq (Pg.274)*
- *Maa Laa Budda Minhu (Pg.83)*

The two reasons for the act being Makrooh are:

1. The Masjid has been designated for the performance of salaah and those acts that are associated with salaah, not for the Janaazah salaah. In fact, even Rasulullaah ρ has designated another place for the Janaazah salaah. Refer to Bukhaari (Vol.1 Pg.177) and Muslim (Vol.1 Pg.309)

   Ibn Habeeb رحمه الله mentioned that the place for performing the Janaazah salaah in Madinah was a place adjacent to easterly side of the Masjid.[1]

   In his *Mu'atta*[2], Imaam Muhammad رحمه الله states that the place where the Janaazah salaah is performed in Madinah is the same place outside the Masjidun Nabawi where Rasulullaah ρ used to lead the Janaazah salaah.

[1] *Fat'hul Baari* (Vol.3 Pg.160).
[2] Pg.131.

Mulla Ali Qaari رحمه الله states, "The place where the Janaazah salaah used to be performed (during the time of Rasulullaah ρ) is a well known place outside the Masjid."[1]

In a narration of *Mishkaatul Masaabeeh*, a Sahabi τ says, "We were sitting outside the Masjid on the plot adjacent to the Masjid where the Janaazah salaah used to be performed and Rasulullaah ρ was sitting with us…" Commenting on this Hadith, Mulla Ali Qaari رحمه الله says that this proves that the Sahabah ψ did not perform the Janaazah salaah inside the Masjidun Nabawi.[2]

Fataawaa Qaadhi Khan states, "It was always the practice of the pious predecessors to designate a separate area for the Janaazah salaah. If performing the Janaazah salaah in the Masjid was not Makrooh and prohibited, why would they have forsaken the Masjid for this purpose?"

Haafidh Ibn Qayyim Hambali رحمه الله whose opinions even the Ghayr Muqallideen accept has stated, "It was the practice of the Sahabah ψ to prepare the deceased for burial, place him on a bier and to perform the Janaazah salaah outside the Masjid."[3]

He then sums it up by adding, "It was always the practice of Rasulullaah ρ to perform the Janaazah salaah outside the Masjid and not inside."[4] He says further that it did sometimes occur that Rasulullaah ρ had to perform the Janaazah salaah inside the Masjid, such as the case of Suhayl bin Baydaa τ and his brother. However, this was not the usual practice of Rasulullaah ρ."

Thereafter, he concludes by saying, "The correct manner is that which we have stated at the beginning i.e. that it was the practice

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[1] *Mirqaat* (Vol.2 Pg.357).
[2] Mirqaat (Vol.3 Pg.343).
[3] *Zaadul Ma'aad* (Vol.1 Pg.143).
[4] *Zaadul Ma'aad* (Vol.1 Pg.143).

of Rasulullaah ρ to perform the Janaazah salaah outside the Masjid."[1]

Allaam Ibn Humaam رحمه الله asserts, "It is an established fact that it was the regular and perpetual practice of Rasulullaah ρ not to bring the bodies of deceased people into the Masjid."[2]

In fact, Rasulullaah ρ was so particular about the practice that although he heard about the death of Najaashi while sitting in the Masjid, he went outside to perform the Janaazah salaah at the place where they usually performed the Janaazah salaah.[3] This was despite the fact that there was no corpse present. This was so that the Masjid is not used for what it is not intended.

Fat'hul Baari (Vol.3 Pg.160) states that the Hadith of Hadhrat Abdullaah bin Umar τ (concerning *Rajam*) makes it evident that a separate place was designated for the Janaazah salaah and that it was only because of some reason that the Janaazah salaah was performed inside the Masjid or to show that it is permissible.

Allaama Ibnul Haaj رحمه الله says that the Sahabah ψ and the pious predecessors never performed the Janaazah salaah in the Masjid.[4]

This is also substantiated by the Hadith of Hadhrat Aa'isha رضي الله عنها stated in the question. Note the following:

- The request that Hadhrat Aa'isha رضي الله عنها made indicates that it was not the norm to perform the Janaazah salaah in the Masjid. Why else would she have to request for it?

- The refusal of the Sahabah ψ indicates also that it was the practice of Rasulullaah ρ not to perform the Janaazah salaah

[1] *Zaadul Ma'aad* (Vol.1 Pg.144).
[2] *Fat'hul Qadeer* (Vol.2 Pg.96).
[3] Bukhaari (Vol.1 Pg.177) and Muslim (Vol.1 Pg.309).
[4] *Kitaabul Madkhal* (Vol.2 Pg.81).

in the Masjid. The only reason in this case for the Janaazah salaah in the Masjid is the fact that the deceased had been sitting in I'tikaaf in the Masjid, as is evident from other narrations of Ahadeeth.[1]

- A clear proof indicating that performing the Janaazah salaah in the Masjid conflicts with the Sunnah is a Hadith of Muslim (Vol.1 Pg.313) stating, **"Funeral biers were never brought into the Masjid."**

- It is possible that Hadhrat Aa'isha رضي الله عنها was unaware of the specific reason for which the Janaazah salaah of the sons of Baydaa were performed in the Masjid. It is also possible that she arrived at this opinion after much deliberation, but her opinion was not shared by the other Sahabah ψ.

The gist of the above is that the Hadith of Hadhrat Aa'isha رضي الله عنها does not oppose, but rather supports the viewpoint of the Hanafi Madh'hab. **In fact, when there is a valid reason, Hanafi Ulema say that it is permissible to perform the Janaazah salaah in the Masjid without this being Makrooh at all.**

2. The second reason why performing the Janaazah salaah in the Masjid is Makrooh is the possibility of the Masjid being soiled. Because it is Waajib (compulsory) for the Masjid to be kept clean at all times, it must be safeguarded from anything that will soil it because this would defile its sanctity.

   In a narration[2] from Hadhrat Abdullaah bin Umar τ, Rasulullaah ρ warned against even passing through the Masjid with a piece of raw meat . in another narration, Rasulullaah ρ said, **"Keep your children and insane ones away from the Masjid."** Allaama Diyaa'ud Deen Sanaawi رحمه الله of the 8th Islaamic century states that the reason for keeping such people away from the Masjid is

[1] *Mazaahire Haqq* (Vol.2 Pg.49).
[2] Ibn Maajah (Pg.55).

the fact that they are likely to soil the Masjid, which is exactly the same reason for prohibiting corpses from coming to the Masjid.[1]

Mabsoot[2] states that if children are prohibited from coming to the Masjid for this reason, then moreso will the prohibition apply to dead bodies.

Salaah Mas'oodi[3] states that since dead bodies are likely to have impurities on them, they are prevented from entering the Masjid, which must compulsorily be kept clean and pure.

If the Sunnah of not performing the Janaazah salaah in the Masjid is not being presently carried out in the Masjidun Nabawi, this cannot be used a proof for its permissibility.

Allaama Ayni رحمه الله stated, "The people of Madinah were safeguarded from acts of Bid'ah during the times of Rasulullaah ρ and the Khulafaa Raashideen. During these times, their acts could be regarded as proof for what is right. However, things changed a lot after the three generations and acts of Bid'ah became increasingly prevalent, especially during our times."[4]

Speaking of the condition during his times, Mulla Ali Qaari رحمه الله (passed away 1014 A.H.) states, **"The present inhabitants of the holy two Harams are ensnared in acts of Bid'ah and sin."[5]** In fact, Mulla Ali Qaari رحمه الله has written a booklet on the acts of Bid'ah practised by the inhabitants of the holy two Harams.

If any Hanafi scholar issues a Fatwa that conflicts with the *Zaahir Riwaayah* and the opinion according to which Fataawaa are issued (*Muftaa Bihi*), then this is no indictment against the Madh'hab.

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[1] *Nisaabul Ihtisaab* (Pg.33).
[2] Vol.2 Pg.68.
[3] Vol.2 Pg.215.
[4] *Majmoo'ah Fataawaa*.
[5] *Mirqaat* (Vol.3 Pg.371).

The two reasons have therefore been given for the fact that performing Janaazah salaah in the Masjid is Makrooh. Considering the first reason, Janaazah salaah in the Masjid is Makrooh Tanzeehi and considering the second reason, Janaazah salaah in the Masjid is Makrooh Tahreemi. And Allaah knows best what is most correct.

THE NECESSITY FOR CODIFYING FIQH

As long as the Sahabah ψ lived, the Fuqahaa and Mujtahideen amongst them spread out in the Muslim empire and the various problems were solved by them. **However, when the last Sahabi Hadhrat Abu Tufayl τ passed away in the year 110 A.H., the students of the Sahabah ψ - the Taabi'een** – took over this responsibility and seven places became famous for being strongholds of knowledge and where Fataawaa were issued. These centres were Madinah, Makkah, Kufa, Basrah, Damascus, Egypt and Yemen. Kufa was however distinguished because thousands of Sahabah ψ lived there and there remained thousands of students of Hadhrat Abdullaah bin Mas'ood τ and Hadhrat Abu Hurayrah τ.

Upto the year 120 A.H., Imaam Abu Haneefah رحمه الله was one of the celebrated students of the famous Muhaddith and Faqih Imaam Hammaad رحمه الله. After the demise of Imaam Hammaad رحمه الله, Imaam Abu Haneefah رحمه الله became his successor and a teacher and Mufti in his own right.

Imaam Abu Haneefah رحمه الله realised that many changes had taken place in the first century of Islaam and that this would not stop. Many evils such as the fabrication of Ahadeeth had cropped up. Seeing that knowledge was not confined to one person or place, Imaam Abu Haneefah رحمه الله decided that if no compilation and codifying took place, the necessary knowledge would be lost.

Another reason was that as time speedily went by, many men of knowledge were also leaving the world, making it increasingly difficult for people to attain the knowledge they need. It was for these and other reasons that Imaam Abu Haneefah رحمه الله started the monumental task.

How Fiqh Was Codified And Compiled

Imaam Abu Haneefah رحمه الله selected forty of the most proficient men of his students to form a committee to undertake this task. These men were:

1. Imaam Zufar رحمه الله (passed away 158 A.H.)
2. Imaam Maalik bin Mughawwal رحمه الله (passed away 159 A.H.)
3. Imaam Dawood Taa'ee رحمه الله (passed away 160 A.H.)
4. Imaam Mandil bin Ali رحمه الله (passed away 168 A.H.)
5. Imaam Nadhar bin Abdul Kareem رحمه الله (passed away 169 A.H.)
6. Imaam Amr bin Maymoon رحمه الله (passed away 171 A.H.)
7. Imaam Hibbaan bin Ali رحمه الله (passed away 173 A.H.)
8. Imaam Abu Ismah رحمه الله (passed away 173 A.H.)
9. Imaam Zuhayr bin Mu'aawiya رحمه الله (passed away 173 A.H.)
10. Imaam Qaasim bin Ma'n رحمه الله (passed away 175 A.H.)
11. Imaam Hammaad bin Imaam Abu Haneefah رحمه الله (passed away 176 A.H.)
12. Imaam Hayyaaj bin Bistaam رحمه الله (passed away 177 A.H.)
13. Imaam Shareek bin Abdullaah رحمه الله (passed away 178 A.H.)
14. Imaam Aafiya bin Yazeed رحمه الله (passed away 180 A.H.)
15. Imaam Abdullaah bin Mubaarak رحمه الله (passed away 181 A.H.)
16. Imaam Abu Yusuf رحمه الله (passed away 182 A.H.)
17. Imaam Muhammad bin Nooh رحمه الله (passed away 182 A.H.)
18. Imaam Hushaym bin Basheer Sulami رحمه الله (passed away 183 A.H.)

19. Imaam Abu Sa'eed Yahya bin Zakariyyah رحمه الله (passed away 184 A.H.)
20. Imaam Fadhl bin Ayyaadh رحمه الله (passed away 187 A.H.)
21. Imaam Asad bin Amr رحمه الله (passed away 188 A.H.)
22. Imaam Muhammad bin Hasan رحمه الله (passed away 189 A.H.)
23. Imaam Ali bin Mis'ar رحمه الله (passed away 189 A.H.)
24. Imaam Yusuf bin Khaalid رحمه الله (passed away 189 A.H.)
25. Imaam Abdullaah bin Idrees رحمه الله (passed away 192 A.H.)
26. Imaam Fadhl bin Moosa رحمه الله (passed away 192 A.H.)
27. Imaam Ali bin Tibyaan رحمه الله (passed away 192 A.H.)
28. Imaam Hafs bin Ghayyaath رحمه الله (passed away 194 A.H.)
29. Imaam Wakee bin Jarrrah رحمه الله (passed away 197 A.H.)
30. Imaam Hishaam bin Yusuf رحمه الله (passed away 197 A.H.)
31. Imaam Yahya bin Sa'eed Qattaan رحمه الله (passed away 198 A.H.)
32. Imaam Shu'ayb bin Is'haaq رحمه الله (passed away 198 A.H.)
33. Imaam Abu Hafs bin Abdur Rahmaan رحمه الله (passed away 199 A.H.)
34. Imaam Abu Mutee Balkhi رحمه الله (passed away 199 A.H.)
35. Imaam Khaalid bin Sulaymaan رحمه الله (passed away 199 A.H.)
36. Imaam Abdul Hameed رحمه الله (passed away 203 A.H.)
37. Imaam Hasan bin Ziyaad رحمه الله (passed away 204 A.H.)
38. Imaam Abu Aasim Nabeel رحمه الله (passed away 212 A.H.)
39. Imaam Makki bin Ibraheem رحمه الله (passed away 215 A.H.)
40. Imaam Hammaad bin Daleel رحمه الله (passed away 215 A.H.)

All the above scholars were Mujtahideen. From them, ten or twelve were selected to form a higher committee. The pillars of this committee were Imaam Abu Yusuf رحمه الله, Imaam Zufar رحمه الله, Imaam Dawood Taa'ee رحمه الله, Imaam Yusuf bin Khaalid رحمه الله, Imaam Yahya bin Zakariyyah رحمه الله, Imaam Muhammad رحمه الله, Hadhrat Abdullaah bin Mubaarak رحمه الله and Imaam Abu Haneefah **رحمه الله** himself.[1]

With regard to this committee, Imaam Wakee رحمه الله who was the teacher of Imaam Shaafir'ee رحمه الله said, "How could there have

[1] *Jawaahirul Mudhiyyah* (Vol.1 Pg.14), as quoted in *Imaame A'zam Imaam Abu Haneefah* رحمه الله pgs.183-184.

remained any errors in this work of Imaam Abu Haneefah رحمه الله when he had with him **experts of Hadith** such as Abu Yusuf, Hafs bin Ghayaath, Hibbaan and Mandil? And when he had **experts in Arabic** such as Qaasim bin Ma'n who was the grandson of Hadhrat Abdullaah bin Mas'ood τ? And when there were people of Taqwa and piety present such as Dawood bin Nadheer and Fudhayl bin Ayaadh? A person who has such people as companions cannot be wrong because there would always be someone to correct him if he ever erred."[1]

The sequence Imaam Abu Haneefah رحمه الله employed in extracting rulings was to first look for them in the Qur'aan, then the Ahadeeth, then the sayings of the Sahabah ψ and then Qiyaas. His insight on Ahadeeth was very deep and apart from verifying which Ahadeeth fell into which category of strength, he also sought out the actions that Rasulullaah ρ carried out during the last portion of his life.

After in-depth deliberation over various rulings, Imaam Abu Haneefah رحمه الله also explained those rulings that had not taken place but which were a possibility. The students around him were allowed to freely discuss the various rulings while keeping within the ambit of the Qur'aan, the Ahadeeth, the sayings of the Sahabah ψ and Qiyaas. In fact, the discussions were often so free that some students would criticise the proofs of Imaam Abu Haneefah رحمه الله himself. When strangers asked him how he tolerated such apparent insolence, he said that he had trained them never to be overawed by any person, so that they could dissect the rulings of any person, even those of Imaam Abu Haneefah رحمه الله himself.

In this manner, they would deliberate upon various issues and note it down immediately if consensus was reached. If not, further discussions would take place until a satisfactory decision was reached. Some discussions would continue for months on end and when they became too prolonged, Imaam Abu Haneefah رحمه الله would stand up to address the scholars. They would all listen intently as he provided a solution that all would accept. In certain

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[1] *Jaami'ul Masaaneed* pg. 33.

cases when some of the senior committee members remained adamant about their opinions, all their opinions were noted.

The rulings of the Shari'ah were thus codified and documented during a period of 22 years and the books were famously known as the books of Imaam Abu Haneefah رحمه الله. They comprised of 83000 pages with a total of which 38000 rulings about salaah and the remaining 45000 about the various aspects of social dealings and penal code.[1]

These documents became useful for the Ulema of the time and the government. They were officially approved by the government and courts were compelled to judge according to them. Hadhrat Yahya bin Aadam رحمه الله says, "The Khulafaa, Imaams and governors issued verdicts according to them and this is how affairs remained."[2]

Hadhrat Muhammad bin Is'haaq رحمه الله says that all knowledge, whether on land or at sea, in the east or west or far and near were all the fruit of these documentations of Imaam Abu Haneefah رحمه الله.[3]

None of the other Imaams had as many companions or students as Imaam Abu Haneefah رحمه الله and Ulema as well as the Muslim public benefited from the way in which he explained difficult Ahadeeth and extracted rulings.[4]

It was from those times until today that the followers of the Hanafi Madhhab have always been many. Allaama Ibn Atheer Shaafi'ee رحمه الله writes that it is Allaah's secret why so many people perform their salaah according to the method shown by Imaam Abu Haneefah رحمه الله.[5] Allaama Mulla Ali Qaari رحمه الله states that followers of Imaam Abu Haneefah رحمه الله outnumber those of the other Imaams just as the followers of Rasulullaah ρ outnumber those

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1 *Imaame A'zam* and *Anwaarul Baari*.
2 *Muwaffaq* (Vol.2 Pg.41).
3 *Fiqhu Ahlil Iraq* pg.57.
4 *Fiqhu Ahlil Iraq* pg.57.
5 *Fiqhu Ahlil Iraq* pg.57.

of the previous Ambiyaa عليهم السلام. **He adds that just as two thirds of the people of Jannah will be from this Ummah, the followers of the Hanafi Madh'hab number two thirds of the Ummah.**[1]

Apart from this, Imaam Abu Haneefah **رحمه الله** and his followers have been granted forgiveness by Allaah, as a story reported in Imam Kurdi 's book states. He reports that Imaam Abu Haneefah **رحمه الله** once entered the Kabah and recited half of the Qur'aan Standing on one foot and the other half standing on the other. Thereafter, he made du'aa saying," O Allaah! I have not recognised You as I ought to have done and have not worshipped You as I ought to have done. Please grant me your perfect recognition in exchange for my imperfect devotion." A voice was then heard from the corner of the Kabah saying "You have attained excellent recognition and have worshipped sincerely. You have therefore been forgiven together with all those who follow you."[2]

The gist of it all is that the majority of the Ummah has followed the Hanafi Madh'hab because since the time that the Muslims conquered the Indian subcontinent, both the rulers and the subjects have all been Muqallideen and followers of the Hanafi Madh'hab. Hadhrat Moulana Abdur Rasheed Nu'maani دامت بركاته writes in his book that all the conquerors of India from Mahmood Ghaznawi to Aurangzeb have all been followers of the Hanafi Madh'hab, as applied to those after them like Sayyid Ahmad Shaheed and others. Therefore, even the people of Kashmir have been followers of the Hanafi Madh'hab, as mentioned by Muhammad Qaasim Farishta and Mirza Haydar in their old books. In fact, Hadhrat Mujaddid Alf Thaani رحمه الله also mentions that the king of the time was a Hanafi and follower of the Ahlus Sunnah wal Jamaa'ah. Shah Abdul Haqq Muhaddith Dehlawi رحمه الله states that the Muslims of Rome as well as the people of the Indian subcontinent all belonged to the Hanafi Madh'hab.

Shah Wali'ullaah Muhaddith Dehlawi رحمه الله writes that they were discussing the Hadith stating that if knowledge was on the Pleiades

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[1] *Mirqaat* (Vol.1 Pg.27).
[2] *Kurdi* (Vol. 1 Pg 55)

constellation, a man or a nation of Persian descent will surely get it from there. Hadhrat Shah then stated that the man must surely be Imaam Abu Haneefah رحمه الله because Allaah spread the knowledge of Fiqh through him and it was only the Hanafi Madh'hab that was in vogue in the times gone by when the rulers and judges of the Muslim lands were all Hanafis, as were almost all the teachers and the general public.[1]

He writes in his Tafheemaat[2] that the Muslims of the majority of countries and cities belong to the Hanafi Madh'hab.

We see that the conquerors of the Indian subcontinent and all the saints who lived there throughout the ages, whether they belonged to the Chistiyyah, Naqshbandiyyah or any other denomination, all followed the Hanafi Madh'hab. Even now, we see that the majority of Muslims in India, Pakistan and Bangladesh are all followers of the Hanafi Madh'hab and number in excess of fifty million.

Throughout the passage of time on the subcontinent when the various evils took shape such as in the time of Akbar and later on as well, there were people like Mujaddid Alf Thaani رحمه الله and Shah Abdul Haqq Muhaddith Dehlawi رحمه الله who stood up to the challenge and wiped them out. Later on when the British posed a threat to Islaam, especially in the year 1272 A.H., they were also routed out in due course and Islaam was given firm root on Indian soil when two great men named Qaasim Nanotwi رحمه الله and Rasheed Ahmad Gangohi رحمه الله started the Daarul Uloom Deoband beneath a pomegranate tree. As a result of this, thousands of people became Ulema and Mashaa'ikh and are befitting the Ummah to this day. All the people rendering these great services to Islaam happened to be followers of the Hanafi Madh'hab.[3]

Now the evil of the Ghayr Muqallideen has cropped up and has started to revile the Hanafi Madh'hab in particular. It reared its head

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[1] *Kalimaat Tayyibaat*.
[2] Vol.1 Pg.212.
[3] Abridged from the monthly *Furqaan*, November 1980.

here in Surat in the town called Samrod, where a certain Moulana Muhammad Samrodi started spreading it. The Ghayr Muqallideen issued challenges to the Hanafis to debate with them and made bold claims that none will be able to face the challenge. When the Hanafi Ulema accepted the challenge, Molvi Samrodi started delaying tactics and made all sorts of excuses. One of the excuses was that his son was facing a court case but even this eventually failed when the case was over.

The debate was to take place in Dhabel and the chief of police even made all the necessary arrangements. He sent for Molvi Samrodi and told him that the people were willing to follow him if he won the debate and if he did not, he would have to submit and become a Hanafi since the challenge came from him. When he still failed to show up, some people went to Samrod and told him that he had to appear because he had started the proceedings.

He was eventually forced to arrive and the debate began at nine o' clock on a Jumu'ah on the seventh Jumadal Ula 1303 A.H. before a crowd from approximately ten to fifteen villages. It continued until twelve that afternoon and everything was written down and then signed by both Moulana Abdul Haqq رحمه الله (author of Tafseer Haqqaani), Molvi Samrodi, the police chief and other people present there.

When Molvi Samrodi could not reply to a question, he requested three days leave to consider the answer, which was gracefully granted. The next debate with Hadhrat Moulana Ali Eid Roos رحمه الله in Surat was scheduled for the following day and it took place after Zuhr that Saturday before a crowd of approximately four to five thousand people. This debate was also attended by leading Ulema and officials, all of whom witnessed how the Ghayr Muqallideen were unable to give answers. It was evident before all that their stand was a pathetic one and at the very end Moulana Abdul Haqq رحمه الله asked them why they did not rather give in and accept when they had no answers. He then continued to deliberate on the necessity and substantiation for Taqleed, using proofs and references that were derived from the Qur'aan and Sunnah as well as those that

appeal to the logic. When he had completed his lecture after an hour and a half, many people who had become Ghayr Muqallideen repented from their errant ways and became Muqallideen again. It was unfortunate that Molvi Samrodi remained adamant and started to use foul and offensive language. Moulana Abdul Haqq however bore this with patience.

Although Molvi Samrodi did not acknowledge his defeat then, the effect of it was that he later repented for his ways and pledge allegiance to the famous saint of the time Hadhrat Sheikh Peer Moosaji Tarkeesri رحمه الله. He then stayed with the Sheikh and even wrote a poem in praise of the Sheikh.

A descendant of Moulana Muhammad Surti by the name of Molvi Abdul Jaleel became a Ghayr Muqallid of the highest degree. He published many works reviling the Hanafis and finally debated with Mutakallimul Islaam Hadhrat Moulana Shaber Ahmad Uthmaani رحمه الله also in Dhabel. He arrived in much pomp and show with an ox cart full of books. He was however left speechless and miserably lost the debate. I was also present there and many other people who are still alive today.

He was however not repentant and continued spreading false propaganda against the Hanafis. Many pamphlets were printed with his name on them, which translated text of Hanafi books in a most inappropriate and contemptible manner. The state then arrested the printer and publisher on account of the vile language used and a case was opened. I was approached to provide expert evidence on the matter and accepted. I made it clear that although the texts in question were from the stated sources, it was the translations that brought them to disrepute. The simple example I stated was that while it was fine to call one's mother 'Mother' or 'Mom', it would be disrespectful and insolent to call her 'my father's consort' even though this is accurate. While the texts may be translated in an appropriate manner, it was obvious that the publisher purposely distorted them to cause injury to the repute of the Hanafi Madh'hab.

I presented the argument in writing to the magistrate and also delivered a talk for an hour and a half, explaining the reason why the Fuqahaa had deliberated upon such rulings and why they had to. When Samrodi had no reply to offer, his lawyer told him that the only way out was to claim that he had not written the articles nor printed them or had them distributed. He then did this and the printers also did the same. As a result, the magistrate ruled that it could not be conclusively proven that Samrodi had written the pamphlets or that the printers in question had printed them. The pamphlets were however confiscated because they were unlawful.

Samrodi has since passed away but his successors continue to spread propaganda against the Hanafis. They print a pamphlet in the Jambosar District called *Nidaa'e Haqq,* every issue of which contains some defamatory content. They also publish a pamphlet every year about the twenty Rakaah Taraaweeh issue, which has already been answered and printed in book form. However, because of their relentless propaganda campaign, they have managed to convert many unsuspecting people to their ways. We pray to Allaah to save us from their evils and to grant us a good death. Aameen.

Of love and kindness

GHAYR MUQALLIDEEN

Some Objections of the Ghayr Muqallidden and Responses to These

THE FIRST OBJECTION: Because the laws of the Shari'ah were not documented during the time of Rasulullaah ρ, it is a Bid'ah to do so afterwards.

This objection reflects only their ignorance because even the Qur'aan was not compiled during the time of Rasulullaah ρ.

Hadhrat Zaid bin Thaabit τ reports that Hadhrat Abu Bakr τ once sent for him after the Battle of Yamaamah. With Hadhrat Abu Bakr τ at the time was Hadhrat Umar τ. Hadhrat Abu Bakr τ said to Hadhrat Zaid τ, "He (Hadhrat Umar τ) has come and said, 'Many Huffaadh of the Qur'aan have been martyred in this battle of Yamaamah[1] and I fear that if all the other battles also take a heavy toll on the Huffaadh, the Qur'aan should not leave us. I have therefore decided that you should compile the Qur'aan (into a single manuscript).' 'How can we attempt to do something that Rasulullaah ρ never did?' I asked him. 'But is an excellent thing,' he replied. Umar τ then continued convincing me until Allaah put my heart at ease about the matter just as his heart was at ease. I now share Umar's opinion on the matter."

Hadhrat Zaid τ narrates further, "Umar τ was sitting there without saying a word. Abu Bakr τ then continued, 'You are young and intelligent and we have no accusations to level against you. Furthermore, you used to write down the Qur'aan during the time of Rasulullaah ρ. You should therefore do the compilation.'"

Hadhrat Zaid τ says, "By Allaah had they charged me with moving a mountain, it would not have been more difficult than the instruction to collect the Qur'aan (into one manuscript). I said, 'How can you do something that Rasulullaah ρ never did?' 'By Allaah!' said Abu Bakr τ, 'the act is an excellent one.' Abu Bakr τ then continued convincing me until Allaah put my heart at ease about the matter just as the hearts of Abu Bakr τ and Umar τ were at ease."

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[1] According to one narration, from the fourteen hundred Muslims martyred during this battle, seven hundred were Huffaadh.

Hadhrat Zaid then went on to compile the Qur'aan with great care and meticulousness. Now can the Gahyr Muqallideen claim that this was an act of Bid'ah and therefore not permissible?

The books of Ahadeeth such as Bukhaari, Muslim, Tirmidhi, Ibn Maajah, Abu Dawood and others were also compiled after the period of Rasulullaah ρ. Can it be said that this was also a Bid'ah? It is wrong to label the compilation of the books of Fiqh, Ahadeeth and the Qur'aan as acts of Bid'ah merely because they were undertaken after the time of Rasulullaah ρ. It is only people lacking knowledge and understanding who would do this because an act of Bid'ah is something that is added to the Deen, regarded as an act of Ibaadah to be rewarded and pleasing to Allaah whereas it has absolutely no substantiation in the Shari'ah. It can neither be proven from the Qur'aan, nor the Ahadeeth, nor from *Qiyaas* or *Ijtihaad*.

For example, adding Adhaan to the Eid salaah is an act of Bid'ah, whereas an act done for the benefit of Deen and for its strengthening and preservation is not regarded as a forbidden act of Bid'ah. Such is the case with the compilation of the Ahadeeth, the books of Fiqh, the placing of diacritical marks in the Qur'aanic text, the naming of these books and the documenting and classification of the various Madhaahib. Apart from being encouraged, the above are really necessary because had they not been done, we would not have had the Ahadeeth before us today and there would have been very few people who would be able to recite the Qur'aan properly. People would then be following the dictates of their whims in as far as the Shari'ah is concerned. The documenting of the laws and rulings of the Shari'ah was inspired by Allaah and has made life exceptionally easy for Muslims to practise on the Shari'ah. Shah Wali'ullaah Muhaddith Dehlawi رحمه الله writes, "The gist of it all is that following these four *Madhaahib* is something extremely subtle that Allaah has inspired in the hearts of the Ulema and upon which they have declared unanimity, regardless of whether they understand it or not."[1]

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[1] *Insaaf* pg.47.

He also says, "Understand well that there is tremendous benefit in following the four Madhaahib and great harm in forsaking them."[1]

THE SECOND OBJECTION: Since there were so many Mujtahideen in the Ummah, why have the four Imaams been distinguished? Does the Qur'aan and Ahadeeth distinguish them from others?

These people unfortunately raise futile objections merely to deceive others. Does the Qur'aan and Ahadeeth distinguish Bukhaari, Muslim, Abu Dawood, Nasa'ee and other books of Ahadeeth above others? The fact that distinguishes these books from the rest is that the Ulema and pious people of the Ummah have given greater acceptance to these books, which is a sign of their reliability. Shah Wali'ullaah Muhaddith Dehlawi رحمه الله states that the acceptance of the Ulema and pious predecessors is a strong proof in itself.[2]

The question will then be raised, "Why only four and not more or less?" The straight forward answer to this is had there been five, again the question will be, "Why five?" Similarly, if they had been any more or less, the same question would be posed for each possibility. Only Allaah knows the reason why there are four. Furthermore, the detail with which these four Madhaahib document each chapter from the chapter of purity to the chapter of inheritance is better than has been done for any other Madh'hab. The finest of details pertaining to almost every facet of life can be accessed in their books.

The Ummah has therefore restricted Taqleed to these four Madhaahib only. The eminent Sheikh Ahmad رحمه الله, better known as Allaama Mulla Jeewan رحمه الله writes[3], "In all fairness, the confinement of the Madhaahib to the four and following only them is from the grace of Allaah and denotes His acceptance of them. There is no need for an explanation."

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[1] *Uqdul Jayyid* pg.31.
[2] *Izaalatul Khifaa* pg.85.
[3] *Tafseer Ahmadiyyah* Pg.346.

Allaah has blessed these four Imaams with detailed knowledge of the Qur'aan and Ahadeeth and they were masters in deriving rulings from the Qur'aan and Ahadeeth. Shah Wali'ullaah Muhaddith Dehlawi رحمه الله writes, "The knowledge of these four Imaams, namely Imaam Abu Haneefah رحمه الله, Imaam Maalik رحمه الله , Imaam Shaafi'ee رحمه الله and Imaam Ahmad رحمه الله encompassed the knowledge of all other Ulema."[1]

While Allaah best knows the reason for the Madhaahib being four, we find many other things also being restricted to four, eg:

1. While the Ambiyaa عليهم السلام were many, four are regarded as the most prominent; Rasulullaah Muhammad ρ, Hadhrat Ibraheem υ and Hadhrat Moosa υ
2. While the divine scriptures were many, four are regarded as the most prominent; the Qur'aan, the Torah, the Zaboor and the Injeel
3. While the angels are many, four are regarded as the most prominent; Hadhrat Jibra'eel υ, Hadhrat Mikaa'eel υ, Hadhrat Israafeel υ and Hadhrat Israa'eel υ
4. While the Sahabah ψ were many, four are regarded as the most prominent; Hadhrat Abu Bakr τ, Hadhrat Umar τ, Hadhrat Uthmaan τ and Hadhrat Ali τ
5. While the routes of Tareeqah were many, four are regarded as the most prominent; Chistiyyah, Naqshbandiyyah, Qaadiriyyah and Suharwardiyyah
6. While the signs of Allaah's might are many, four are most prominent stated in Surah Ghaashiya; the camel, the sky, the mountains and the earth. Allaah says: **Have they** *(mankind)* **not looked at the camel and seen how it was created** *(perfectly adapted to the harsh climate of the desert with many unique peculiarities)* **? And** *(have they not looked)* **at the sky, how it was raised** *(so high without any supports)* **? And** *(have they not looked)* **at the mountains, how they were placed firmly** *(into the earth with*

[1] Commentary of *Mu'atta* pg.6.

their bulk underground) **? And** *(have they not looked)* **at the earth, how it was spread out** *(with large tracts of land that seem flat despite the spherical shape of the earth)***?**

It is therefore nothing strange for the Imaams to be four in number and is futile to object to this.

Hadhrat Abdul Qaadir Jaylaani رحمه الله was a follower of Imaam Ahmad bin Hambal رحمه الله and he always wished that Allaah should keep as a follower of Imaam Ahmad رحمه الله and raise him on the Day of Qiyaamah in the company of Imaam Ahmad رحمه الله.[1]

The gist of it all is that although there had been many Mujtahideen, the Madhaahib of the others had never been so well documented as these four, because of which it is necessary to follow one of them. Shah Wali'ullaah Muhaddith Dehlawi رحمه الله says, "Since there are no *Madhaahib* on the truth besides the four *Madhaahib*, following them will be following the broader consensus of people and failing to follow them will be to leave the broader consensus of people, which will be against the instruction of Rasulullaah ρ."[2] He also adds that in these latter times, there are no Madhaahib that cover all aspects of the Deen as well as these four.

THE THIRD OBJECTION: The Ghayr Muqallideen argue that why should there be differences amongst the Imaams when the Qur'aan is one and Rasulullaah ρ is one? They claim that this merely confuses people.

In reply we say that the first addressees of the Qur'aan were the Sahabah ψ and because they understood the Qur'aan and Ahadeeth directly from Rasulullaah ρ, they are a criterion for us to follow. Despite the fact that the Qur'aan is one and Rasulullaah ρ was one, there still existed many differences between the Sahabah ψ. Since the

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[1] *Ghunya* pg.689.
[2] *Uqdul Jayyid* pg.33.

Imaams were followers of the Sahabah ψ and the Taabi'een, there naturally arose differences amongst them as well.

With regard to the difference amongst the Sahabah ψ, Rasulullaah ρ said, "When I asked my Rabb about the disputes to arise between my Sahabah ψ after me, he sent revelation to me saying, 'O Muhammad! Your Sahabah ψ are like stars. While all the stars are radiant, the radiance of some exceed the radiance of others. When their opinions differ concerning a matter, a person following the opinion of any of them will be rightly guided." Rasulullaah ρ added, "My Sahabah ψ are like stars. You will be rightly guided by following any one of them."[1]

Because these differences were based on sincerity, they cannot be condemned and are in fact a source of Allaah's mercy, as Rasulullaah ρ himself stated when he said, "the differences amongst my Ummah are a mercy." Here Rasulullaah ρ was referring to the differences between the Sahabah ψ and amongst the Imaams such differences were plenty. Shah Wali'ullaah Muhaddith Dehlawi رحمه الله mentioned that there were those Sahabah ψ who recited Bismillaah audibly in salaah while others did not, those who recited the Qunoot in the Fajr salaah and those who did not, those who regarded vomiting and bleeding of the nose as factors nullifying salaah and those who did not, those who regarded touching a woman or the private part as factors nullifying salaah and those who did not, those who regarded eating roasted foods and camel meat as factors nullifying salaah and those who did not …"[2]

In his *Al I'tidaal*[3], Hadhrat Moulana Muhammad Zakariyyah رحمه الله cites the following examples of differences that existed between the Sahabah ψ:

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[1] *Mishkaatul Masaabeeh* (Pg.554).
[2] *Hujjatullaahil Baaligha* (Vol.1 Pg.376).
[3] Pg.202-203.

1. According to Hadhrat Umar τ, touching of the private parts breaks the wudhu, but according to Hadhrat Ali τ and Hadhrat Abdullaah bin Mas'ood τ, it does not.

2. According to the vast majority of Sahabah ψ, it is permissible to make wudhu with sea water but Hadhrat Abdullaah bin Umar τ says that it is Makrooh.

3. According to the vast majority of the Sahabah ψ, it is commendable and *Mustahab* to use perfume on Fridays, but Hadhrat Abu Hurayrah τ maintains that it is Waajib (compulsory).

4. While Hadhrat Umar τ and Hadhrat Abdullaah bin Umar τ say that wailing and lamenting over a deceased one brings punishment to the deceased, Hadhrat Aa'isha رضي الله عنها denies this most vehemently.

5. Imaam Zuhri رحمه الله reports that there was a difference between Hadhrat Abdullaah bin Abbaas τ and Hadhrat Abu Hurayrah τ about whether fasts not kept in Ramadhaan should afterwards be kept consecutively or whether it may be done intermittently.

6. The viewpoint of a large group of Sahabah ψ was that wudhu is nullified after eating food cooked by fire. Among those holding this view were Hadhrat Anas τ, Hadhrat Abu Hurayrah τ, Hadhrat Aa'isha رضي الله عنها and Hadhrat Abdullaah bin Umar τ. However, the view of the four Khulafaa as well as the vast majority of Sahabah ψ is that wudhu does not break in this case.

7. Hadhrat Abdullaah bin Umar τ believed that in Tayammum it is necessary to wipe dust-covered hands right up to the elbows. Hadhrat Ali τ however maintained that doing so up to the wrists is enough.

8. It was the belief of Hadhrat Abdullaah bin Umar τ and Hadhrat Anas τ that if a donkey passes in front of a person in salaah, the salaah becomes nullified. On the other hand, Hadhrat Uthmaan τ and other Sahabah ψ say that salaah does not break.

9. If there are only two persons together with the Imaam in salaah, then according to the Sahabah ψ, the Imaam should stand ahead

of the other men, while Hadhrat Abdullaah bin Mas'ood τ states that the Imaam should stand in-between the two and in line with them.[1]

10. A narration of Muslim states that Hadhrat Abdullaah bin Umar τ instructed that when a woman is bathing, she should open up the plaits of her hair. When Hadhrat Aa'isha رضي الله عنها heard this, she said, "It is surprising that he is instructing that the hair be opened. Why does he rather not instruct women to shave off their hair?! I used to bath with Rasulullaah ρ from the same utensil and I did no more than pour water thrice over my head."[2]

11. While the majority of the Sahabah ψ believed that Ramal is Sunnah during Tawaaf, Hadhrat Abdullaah bin Abbaas τ was of the opinion that Rasulullaah ρ did it only once to show the Mushrikeen that the Muslims were not weakened by disease.[3]

There are numerous other examples to be found in the books of Ahadeeth and one who studies Tirmidhi will find many. Shah Wali'ullaah Muhaddith Dehlawi رحمه الله has provided many details about the reasons for these differences in his *Hujjatullaahil Baaligha*. After all of this, he summarises by saying that the Taabi'een gathered many Ahadeeth together with the differences of the Sahabah ψ and gave preference to some opinions over others, regarding some to be weaker than others even though they were all reported from the Sahabah ψ. An example of this is that according to Hadhrat Umar τ and Hadhrat Abdullaah bin Mas'ood τ, Tayammum was not permissible for the person in need of a bath. However, when the narrations of Hadhrat Imraan bin Husayn τ, Hadhrat Ammaar τ and others came to light, the former ruling was abandoned.

It then happened that the people of every area also started to rely on certain important scholars from the Taabi'een, the people of Madinah relied on Hadhrat Saeed bin Musayyib رحمه الله and Hadhrat

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[1] *Al I'tidaal*.
[2] *Hujjatullaahil Baaligha* (Vol.1 Pg.323).
[3] *Hujjatullaahil Baaligha* (Vol.1 Pg.323).

Saalim bin Hadhrat Abdullaah bin Umar رحمه الله. The people of Makkah followed Hadhrat Ataa bin Abi Rabaah رحمه الله and the people of Kufa followed Hadhrat Ibraheem Nakha'ee رحمه الله. The people of Basrah followed Hadhrat Hasan Basri رحمه الله, the people of Yemen followed Hadhrat Tawoos bin Kaysaan رحمه الله and the people of Shaam followed Hadhrat Makhool رحمه الله.

Allaah inspired many hearts by the knowledge of these men and people would flock to them for learning Ahadeeth and for asking rulings. Hadhrat Sa'eed رحمه الله and Hadhrat Ibraheem رحمه الله classified and categorised all the various chapters and faculties of Fiqh and even the principles of Fiqh, which they had learnt from their seniors. Hadhrat Sa'eed رحمه الله and his companions believed that the Ulema of the Haramain possessed the soundest knowledge of the Deen and their Madh'hab was based on the Fataawaa of Hadhrat Abdullaah bin Umar τ, Hadhrat Aa'isha رضي الله عنها , Hadhrat Abdullaah bin Abbaas τ and the verdicts of the judges of Madinah. They therefore collected all of this and scrutinised it, taking the most accepted opinion in cases where there were differences.

Hadhrat Ibraheem رحمه الله and his students believed that none was more reliable in Fiqh than Hadhrat Abdullaah bin Mas'ood τ. In fact, Hadhrat Alqama رحمه الله said this to Hadhrat Masrooq رحمه الله. Imaam Abu Haneefah ***رحمه الله*** also said to Imaam Awzaa'ee رحمه الله, "Ibraheem رحمه الله was a greater faqih than Saalim رحمه الله and had Hadhrat Abdullaah bin Umar τ not been a Sahabi, I would say that Alqama رحمه الله was a greater Faqih than he. As for Hadhrat Abdullaah bin Mas'ood τ, he was Hadhrat Abdullaah bin Mas'ood τ."

The basis of the Madh'hab of Imaam Abu Haneefah ***رحمه الله*** is the Fataawaa of Hadhrat Abdullaah bin Mas'ood τ, the verdicts of Hadhrat Ali τ and the verdicts of Qaadhi Shuray رحمه الله and other judges of Kufa. He therefore compiled all their rulings and just as Hadhrat Sa'eed رحمه الله had collected the narrations of Madinah, Imaam Abu Haneefah ***رحمه الله*** did the same for the narrations of Kufa. While Hadhrat Sa'eed رحمه الله was the mouthpiece for the

people of Madinah and knew all the Ahadeeth of Hadhrat Abu Hurayrah τ and the verdicts of Hadhrat Umar τ, Hadhrat Ibraheem رحمه الله was the mouthpiece of the people of Kufa. The people therefore relied on whatever these two men said and although they sometimes never said it, their statements were attributed to one or other of their pious predecessors.[1]
There is really no reason to object to the differences of opinion between the Imaams. In his *Hujjatullaahil Baaligha*, Shah Wali'ullaah Muhaddith Dehlawi رحمه الله has shed great light on the mater, as had Hadhrat Moulana Muhammad Zakariyyah رحمه الله in his *Ikhtilaafe A'immah* and *Al I'tidaal*.

Allaam Sha'raani رحمه الله says that a fair look at the Madhaahib will reveal that all four Imaams were upon the truth and no follower of any of them can criticise another because they are all part of the Shari'ah and their differences are a mercy to the Ummah. Allaah Who is All Knowing and All Wise must have placed some good in it, otherwise he would have declared it Haraam, just as it is Haraam to differ on matters of belief. By confusing the differences in derivatives with differences in fundamental beliefs is a slip-up that easily leads to destruction.[2]

When great Ulema see no problem in differences, it is strange that the Ulema of the Ghayr Muqallideen have a problem with it, especially when they themselves are divided on so many issues. Here are a few examples of the differences they have:

1. While Allaama Showkaani and Nawaab Siddique Hasan are of the opinion that it is not necessary to cover the necessary areas of the body during salaah, Molvi Waheeduz Zamaan says that it is a precondition without which salaah is invalid.[3]
2. While Nawaab Siddique Hasan says that it is not permissible to employ and pay a person to call out the Adhaan, Molvi

[1] *Hujjatullaahil Baaligha* (Vol.1 Pg.325-328).
[2] *Ikhtilaafe A'immah* pg.34.
[3] *Hadiyyatul Mahdi*.

Waheeduz Zamaan says that there is no doubt about the permissibility of this.[1]

3. Molvi Waheeduz Zamaan says that the Mu'adhin has to be a male whereas Nawaab Siddique Hasan says that even a woman can fill the position.[2]

4. Nawaab Siddique Hasan says that the Adhaan is Waajib (compulsory), while Molvi Waheeduz Zamaan says that it is Sunnah.[3]

5. While Molvi Waheeduz Zamaan is of the opinion that the earnings of a prostitute is Haraam and that it is Haraam to eat her food or to have any dealings with her[4], Molvi Abdullaah Ghaazipuri says that this is permissible as long as she repents.

6. Molvi Waheeduz Zamaan says that it is permissible to use the Qur'aan and Ahadeeth to make amulets for sick people whereas other Ghayr Muqallideen say that this is not permissible.[5]

7. Molvi Waheeduz Zamaan says that it is permissible for a person to enter into the state of Ihraam before the Miqaat[6]. Nawaab Siddique Hasan says that this is not permissible.[7]

8. Nawaab Siddique Hasan says that Hajj will not be nullified by sexual intercourse[8], but Molvi Waheeduz Zamaan says that it is and that the Hajj will have to be repeated the following year.[9]

9. Molvi Basheer Qanooji says that it is a Bid'ah for the Haafidh to recite Surah Ikhlaas thrice when the Qur'aan is completed in the

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[1] *Hadiyyatul Mahdi* pg. 87.
[2] *Hadiyyatul Mahdi* pg. 46.
[3] *Hadiyyatul Mahdi* pg.46.
[4] *Asraarul Lugha* pg.156.
[5] *Asraarul Lugha* pg.118.
[6] *Hadiyyatul Mahdi* pg. 96.
[7] *Bidowril Ahla* pg.139.
[8] *Bidowril Ahla* pg.141.
[9] *Hadiyyatul Mahdi* pg.211.

Taraaweeh salaah. Molvi Waheeduz Zamaan however says that it is not a Bid'ah.[1]

10. Nawaab Siddique Hasan says that Adhaan cannot be called out before the time of the salaah and that the Adhaan of Hadhrat Bilaal τ was merely to wake the people up[2]. Molvi Waheeduz Zamaan however states that two Adhaans should be called out for Fajr.[3]

11. Molvi Waheeduz Zamaan says that although there is a difference of opinion about music and singing on occasions of happiness such as weddings and Eid, the best opinion is that it is not only permissible, but recommended.[4] Nawaab Siddique Hasan on the other hand states that this is Haraam.[5] This was the opinion of Ibn Taymiyyah رحمه الله and Ibn Qayyim رحمه الله.

12. Molvi Waheeduz Zamaan says that Surah Faatiha should not be recited audibly in the Janaazah salaah[6], while Nawaab Siddique Hasan says that it should be audible.[7]

13. While the Ghayr Muqallideen Nurul Hasan says that it is permissible to marry an illegitimate woman[8], Abdul Jaleel Saamrodi says that it is not permissible because it is not mentioned in the six most authentic books of Ahadeeth.[9]

14. Molvi Waheeduz Zamaan says that it is not necessary to pay zakaah for merchandise[10], while Abdul Jaleel Saamrodi says that according to most of the Ahlul Hadith, zakaah should be paid.[11]

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[1] *Asraarul Lugha* pg.46.
[2] *Bidowril Ahla* pg.47.
[3] *Asraarul Lugha* pg.64.
[4] *Asraarul Lugha* pg.86.
[5] *Bidowril Ahla* pg.513.
[6] *Hadiyyatul Mahdi* pg.221.
[7] *Bidowril Ahla* pg.62.
[8] *Urful Jaari* pg.112.
[9] *Adhaabul Muheen* pg.52.
[10] *Hadiyyatul Mahdi* pg.102.
[11] *Adhaabul Muheen* pg.28-29.

15. Molvi Waheeduz Zamaan says that it is not permissible to condemn the *Moulood* as it takes place nowadays[1], while Molvi Thanaa'ullaah says that it is a Bid'ah.[2]

16. Molvi Waheeduz Zamaan says that it is Waajib (compulsory) to pay zakaah for gold and silver[3], while Nawaab Siddique Hasan says that it is not.

17. Nawaab Siddique Hasan says that it is permissible to say, "O Qibla of Deen, help me!", "O Kabah of Imaan, help me!", "O Ibn Qayyim, help me!" and "O Qaadhi Showkaani, help me!"[4], Molvi Thanaa'ullaah Amritsari says that this is Shirk.[5]

18. As can be noticed from number 17 above, Nawaab Siddique Hasan is of the opinion that it is permissible to write the words Qibla and Kabah, but this is not permissible according to Abdul Jaleel Saamrodi.[6]

19. While Dawood Zaahiri says that wudhu needs to be made after bathing, Molvi Waheeduz Zamaan says that it is not necessary.[7]

20. Abdul Jaleel Saamrodi says that it is permissible for a Musaafir to perform salaah behind a Muqeem[8]. However, Ali Hasan Khan says that is not at all permissible and if he has to do so, he should join only in the last two Rakaahs.[9]

21. While Nurul Hasan says that masturbation is permissible[10], Abdul Jaleel Saamrodi says that it is not[11].

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[1] *Hadiyyatul Mahdi* pg.118.
[2] *Ahle Hadith ka Madh'hab* pg.34.
[3] *Hadiyyatul Mahdi* pg.5.
[4] *Hadiyyatul Mahdi* pg.23.
[5] *Ahle Hadith ka Madh'hab* pg.7-12.
[6] *Adhaabul Muheen* pg.100.
[7] *Hadiyyatul Mahdi* pg.22.
[8] *Adhaabul Muheen* pg.71.
[9] *Bunyaanul Marsoos* pg.163.
[10] *Urful Jaari* pg.214.
[11] *Adhaabul Muheen* pg.53.

22. Molvi Waheeduz Zamaan says that it is permissible to call for others apart from Allaah[1], while Molvi Thanaa'ullaah says that it is Shirk.[2]

23. While Molvi Waheeduz Zamaan says that it is Mustahab to rub the body while bathing, Nawaab Siddique says that it is Waajib (compulsory).[3]

24. While Molvi Waheeduz Zamaan says that it is permissible to call out four or five Takbeers in the Janaazah salaah[4], Nawaab Siddique says that it is a Bid'ah to call out more or less than four.[5]

THE FOURTH OBJECTION: A similar objection that the Ghayr Muqallideen raise is that how can all four Madhaahib be correct when the truth can only be one. They therefore say that it is best to forsake all forms of Taqleed and follow only the Qur'aan and Sunnah directly.

We say that the sources of all the Madhaahib are the Qur'aan and the Ahadeeth and to declare them all to be wrong is (Allaah forbid!) tantamount to claiming that the Qur'aan and Ahadeeth are misleading. The Kabah has four sides (north, south, west and east) and the people on each side face the side they are on. Now although the direction of every person is different, the salaah of each of them is correct because their purpose is all the same.

In the same way, one Imaam may use certain criterion and factors to interpret a certain verse of the Qur'aan in a particular manner, another Imaam may use other factors to arrive at a different interpretation, both of which are accommodated by the verse. In alike manner, a particular Imaam may interpret a Hadith according to his research and using certain rules and principles. At the same

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[1] *Hadiyyatul Mahdi* pg.23.
[2] *Ahle Hadith ka Madh'hab* pg.19.
[3] *Bidowril Ahla* pg.31.
[4] *Hadiyyatul Mahdi* pg.217.
[5] *Bidowril Ahla* pg.91.

time, another Imaam will use his principles and standards to interpret it differently. On other occasions, one Imaam may use the apparent meaning of a Hadith or verse to arrive at a conclusion, while another may use the implied meaning. Apart from the above, there are various other ways in which the Imaams of the Madhaahib differ. The same differences are apparent from the interpretations of the Sahabah ψ as well. Here follows a few examples:

1. A Hadith appears in Bukhaari and Muslim stating that when Rasulullaah ρ gave the Sahabah ψ the command to march against the Banu Qurayzah tribe, he said that they should not perform their Asr salaah anywhere but at the settlement of the Banu Qurayzah tribe. Now while some of the Sahabah ψ understood that Rasulullaah ρ's intention was to emphasise a speedy march, others took the direct meaning, meaning that they should not perform the Asr salaah on the road (even if the time was running out). However, since Rasulullaah ρ did not disapprove of this difference, it appears that both parties were right. Such are the differences between the four Madhaahib.

2. Hadhrat Taariq τ reports that a Sahabi τ was in need of a bath and because there was no water, he neither performed wudhu, Tayammum or his salaah. When he reported this to Rasulullaah ρ, Rasulullaah ρ approved of his action. When another Sahabi τ was faced with the same situation, he performed Tayammum and performed salaah. Rasulullaah ρ approved of his action as well. Now although both Sahabah ψ applied their minds to the same situation, their conclusions were different. Rasulullaah ρ however approved of both. Such is the situation with the Imaams of the Madhaahib.

Take the example of a person who cannot determine the direction of the Qibla on a dark night. According to the Hadith, he ought to apply his mind and arrive at a conclusion. Now if there are several people in the same place in the same situation, and each of them applied his mind and arrived at different conclusions, they would all be performing salaah in different directions. All of their salaahs would however be valid because they have all practised on the

Hadith. Although only one will be facing in the correct direction, all will deemed correct in the sight of Allaah. While the one who is correct will receive double the rewards, the others will still receive a single reward. A Hadith of Bukhaari and Muslim states that when one applies one's mind to a question of the Shari'ah and arrives at the correct conclusion, he will receive double the reward and if he errs, he will still be rewarded. Regardless of whether the reward is single or double, the fact is that Allaah accepts the effort of both persons. Therefore, although only Allaah knows precisely which of the Imaams of the Madhaahib is correct in which of the various rulings, is in perfectly in order to say that each of them is correct in the sight of Allaah because they have all applied their minds to the rulings. And Allaah knows best what is most correct.

THE FIFTH OBJECTION: Another objection that the Ghayr Muqallideen raise is that if all four Madhaahib are correct, why follow only one?

The reply to this has already passed in the foregoing pages where the proof for Taqleed had been established. If people are left to follow any of the various Madhaahib as and when they please, the Shari'ah would become a mere toy. For example, if a person decides to follow Imaam Shaafi'ee رحمه الله for a year, he will regard frogs and other like creatures to be Halaal for consumption and if he then follows Imaam Abu Haneefah رحمه الله the following year, the same things would be Haraam. This would then be just as a verse of the Qur'aan states when it says about the Kuffaar: ***"They make it Halaal one year and Haraam another year."*** Mixing the rulings of the Shari'ah in this manner is called "*Talfeeq*", which is Haraam according to all the jurists.

If a person chooses to follow one Madh'hab for a few days and then another, what are his academic reasons for doing so? Thereafter, when he follows another Madh'hab in other issues, what are his reasons for leaving the first? What wrong did he see in the former? When he has no knowledge of the Shari'ah to base his reasons upon and is doing so on the direction of others, then he is also practising Taqleed by following someone. This then becomes a fifth Madh'hab.

When people then keep changing their Madhaahib in this manner, the Shari'ah then becomes a toy.

FOR WOMEN TO ATTEND THE MASJID AND EID GAH

Question: What do the Ulema and Muftis have to say about the following:

The Ghayr Muqallideen and some free thinking Muslims are adamant about the fact that women cannot be prevented from attending the Masjid and Eid Gah. They emphasis that women perform the Eid salaah at the Eid Gah and claim that people stopping them are sinners. Men were instructed to allow their women to attend the Masjid during the time of Rasulullaah ρ and were told not to prevent them. The women were also instructed to attend the Eid Gah so emphatically that those who did not have a shawl to cover herself was told to wrap herself together with her friend in one shawl. They say that since there was so much emphasis during the time of Rasulullaah ρ, no one today has the right to prevent women from attending. They also present the following to substantiate their claim:

1. "Do not prevent your women from the Masjid when they seek your permission." {*Mishkaatul Masaabeeh* Pg.97}
2. "Do not refuse a woman permission when she asks leave to attend the Masjid." {*Mishkaatul Masaabeeh* Pg.96}
3. Hadhrat Abdullaah bin Umar τ once related that Rasulullaah ρ said, "No person should prevent his wife from the Masjid." To this, his son (Hadhrat Bilaal τ) remarked, "But we will prevent them." Hadhrat Abdullaah bin Umar τ became angry at this and said, "You have the nerve to say that when I am narrating a

Hadith of Rasulullaah ρ to you!" Hadhrat Abdullaah bin Umar τ then never spoke to that son until the day he passed away.{*Mishkaatul Masaabeeh* Pg.97}

Concerning attending the Eid Gah they present the following:

1. Hadhrat Ummu Atiyya رضي الله عنها reports that they were instructed to even take the menstruating women and women in seclusion to the Eid salaah so that they may present themselves at the gathering of the Muslims. The menstruating women however stayed away from the place where salaah was performed. When someone queried about those who did not have a shawl to cover themselves properly, Rasulullaah ρ advised that such a woman share a shawl with a friend. {*Mishkaatul Masaabeeh* Pg.125-126}

We now wish to ask what the ruling ought to be in this age that is filled with evil. If it is said that it is not permissible for women to attend the Masjid, what is the reply to the narrations quoted above? Please reply in detail.

Answer: Women cannot be allowed to attend the Masjid and Eid Gah in this time of evil. The Fuqahaa رحمهم الله have never refuted the fact that women were permitted to go to the Masjid during the time of Rasulullaah ρ. However that was the best of all times when Rasulullaah ρ was himself alive and people were protected from evils. Revelation was descending, new injunctions were being taught and needed to be learnt all the time and the best of all was the privilege of performing salaah behind Rasulullaah ρ himself. Rasulullaah ρ used to relate and interpret dreams and was informing the Sahabah ψ of many strange and interesting things. It was for these reasons that women were allowed to attend the Masjid.

It is however wrong to state that they were given the same emphatic instruction to attend the Masjid as men were given. It is not necessary for women to perform salaah in Jamaa'ah as it is for men. It is for this reason that Rasulullaah ρ said, "Had it not been for the

women and children at home, I would have the Isha salaah started and then instruct the youngsters to set alight the homes (of those men who do not attend the salaah in Jamaa'ah)."[1] This Hadith makes it evident that salaah in Jamaa'ah is not compulsory for women just as it is not compulsory for children, because of which their presence in the homes would be a cause for preventing them from being burnt down. Had the command to attend the Masjid been emphasised for women, they would have also been marked for the punishment stated in the Hadith.

Furthermore, the Ahadeeth state that it is better and more rewarding for women to perform their salaah in the innermost corner of their homes, despite the fact that salaah in Jamaa'ah is 27 times better than individual salaah, salaah in the Masjidun Nabawi is better than fifty thousand salaahs anywhere else and salaah behind Rasulullaah ρ himself is better than anything else. Here are few Ahadeeth making this apparent:

1. Hadhrat Ummu Salamah رضي الله عنها reports that Rasulullaah ρ said, "The best Masjid for a woman is innermost recesses of her home."[2]
2. Hadhrat Abdullaah bin Umar τ narrates that Rasulullaah ρ said, "A woman is an object of concealment, so when she leaves her home, Shaytaan ogles at her (trying hard to involve her and others looking at her in sin). The closest she gets to Allaah is in the innermost corner of her home."[3]
3. Hadhrat Abdullaah bin Mas'ood τ reports that the best salaah a woman can perform is the one she performs in the innermost corner of her home.[4]

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[1] *Mishkaatul Masaabeeh* (Pg.96).
[2] Ahmad and Tabraani, as quoted in *Targheeb wat Tarheeb* (Vol.1 Pg.188) and *Zujaajatul Masaabeeh* (Vol.1 Pg.313).
[3] *Targheeb wat Tarheeb* (Vol.1 Pg.188).
[4] *Targheeb wat Tarheeb* (Vol.1 Pg.189).

4. Hadhrat Abdullaah bin Umar τ reports that Rasulullaah ρ said, "Do not prevent you women from the Masaajid even though their homes are better for them (then attending the Masjid)."[1]

5. Hadhrat Ummu Salamah رضي الله عنها reports that Rasulullaah ρ said, "For a woman to perform her salaah in a room of her house is better than her performing salaah in the courtyard of her house and for her to perform her salaah in an inner room of her house is better than her performing salaah just any room of her house and salaah in an inner room of her house is better than her salaah in her local Masjid."[2]

Now take note of the following decision of Rasulullaah ρ:

6. Hadhrat Ummu Humayd رضي الله عنها the wife of Hadhrat Abu Humayd Saa'idi τ once came to Rasulullaah ρ and said, "O Rasulullaah ρ! I love to perform salaah behind you." Rasulullaah ρ then told her, "I know that you love to perform behind me, but your salaah in the innermost recess of your house is better than your salaah in your room, your salaah in your room is better than your salaah anywhere else on your house and your salaah anywhere else in your house is better than your salaah in your local Masjid. Likewise, your salaah in your local Masjid is better than your salaah in this Masjid of mine." She then had a place made for her in the innermost and darkest recess of her house and performed her salaah there until the day she passed away."[3]

The following is apparent from the above narration:

1. No emphasis was placed on women attending the Masjid during the times of Rasulullaah ρ. They were permitted, but such advice was given that was aimed at leading them to stop by themselves.

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[1] *Mishkaatul Masaabeeh* (Pg.96).
[2] Tabraani, as quoted in *Targheeb wat Tarheeb* (Vol.1 Pg.188).
[3] Ahmad, Ibn Khuzaymah and Ibn Hibbaan, as quoted in *Targheeb wat Tarheeb* (Vol.1 Pg.187).

2. The permission granted to them was a concession (رخصة) and something permissible (إباحة) but not something preferred or encouraged.
3. The action of Hadhrat Ummu Humayd رضي الله عنها conformed perfectly with the wish of Rasulullaah ρ and was exactly what he wanted.

How regrettable it is that people who encourage women to attend the Masaajid are really acting against the wish of Rasulullaah ρ. What is worse is that they profess that they are acting according to the Sunnah and that they are really reviving the Sunnah. If performing salaah in the Masjid really was a Sunnah, Rasulullaah ρ would never have stated that performing salaah in the local Masjid is better than salaah in his Masjid and that salaah at home is better than salaah in the local Masjid. Can leaving out the Sunnah carry more rewards than practising the Sunnah? By encouraging women to perform their salaah at home, was Rasulullaah ρ then encouraging them to forsake the Sunnah? Allaah forbid! Allaah forbid! Do the people who propound this perhaps regard themselves as more pious than Rasulullaah ρ? Do they perhaps regard their Masaajid as better than the Masjid of Rasulullaah ρ? Do they perhaps regard their women as better than the women of Rasulullaah ρ's time? Do they perhaps regard their times as better than the times of Rasulullaah ρ?

Furthermore, the concession to attend the Masjid during the time of Rasulullaah ρ also had conditions attached. Women were to attend without any jewellery, without attractive clothing, without scent or any other forms of beautification. Hadhrat Aa'isha رضي الله عنها reports that Rasulullaah ρ was sitting in the Masjid when a woman from the Banu Muzaynah tribe arrived showing off her elaborate clothing. Rasulullaah ρ addressed the Sahabah ψ saying, "O people! Stop your women from adornment and displaying themselves in the Masaajid because the Bani Israa'eel were cursed only when their women started to adorn themselves and make a display of themselves in the Masaajid."[1]

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[1] Ibn Maajah Pg.297.

This makes it evident that the concession to attend the Masaajid was not without restrictions, whereas it was a time free of evils. However, when the evils started to manifest themselves during the time of Hadhrat Umar τ, he and the eminent Sahabah ψ of the time had the proclamation made that women should not attend the Masjid. This was approved by all the Sahabah ψ.

Badaai'us Sanaa'i (Vol.1 Pg.157) states, "It is not permissible for young women to attend the Masaajid because of the narration from Hadhrat Umar τ stating that he prevented young women from the Masaajid. This is because women leaving the home leads to the spread of evil **and anything leading to such evil is Haraam."**

Hujjatullaahil Baaligha states that amongst the factors that allow people to miss salaah in Jamaa'ah is the fear of evil developing, such as a woman leaving her home wearing perfume. There is therefore no inconsistency between Rasulullaah ρ's advice not to refuse women permission to attend the Masaajid and the decree of the Sahabah ψ to prevent women from attending. This is because there are two types of protectiveness, as mentioned by Rasulullaah ρ. The one type of protectiveness stems from pride and haughtiness and this is the one that is forbidden. However, the second type of protectiveness that stems from a fear of evil developing is permissible (and encouraged) and it is this type that spurred the Sahabah ψ on to prevent women from the Masaajid.[1]

In this commentary of Bukhaari, Allaama Ayni رحمه الله quotes a narration stating that **Hadhrat Abdullaah bin Umar τ used to stand in the Masjid on Fridays and throw pebbles at women to drive them away from the Masjid.[2] Hadhrat Abdullaah bin Mas'ood τ also used to drive women away from the Masjid on Fridays, telling them, "Go away! Your homes are better for you."[3]**

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[1] Vol.2 Pg.90. See also *Ihyaa* (Vol.2 Pg.48) and *Asihhus Siyar* (Vol.2 Pg.589).
[2] Vol.3 Pg.228.
[3] *Targheeb wat Tarheeb* (Vol.1 Pg.190).

Sensing the dawn of imminent evil, Ummul Mu'mineen Hadhrat Aa'isha رضي الله عنها said, "If Rasulullaah ρ had to see how women have started to behave, he would have surely forbidden them from going to the Masjid just as the women of the Bani Israa'eel were prevented from doing so."[1]

After quoting this statement of Hadhrat Aa'isha رضي الله عنها, the commentator of Bukhaari, Allaama Ayni رحمه الله says, "As for today (855 A.H.), we seek Allaah's protection from it!"[2] He also adds that if Hadhrat Aa'isha رضي الله عنها had to see the fashions and evils that the women of his day had started, she would have been even more opposed to the attending the Masaajid. Amongst the evils he states in his book is the elaborate clothing that women wear and their perfumes that they use to attract the attention of men. He also speaks of them walking about the marketplaces without covering their faces and states that the evil prevalent during the times of Hadhrat Aa'isha رضي الله عنها were not even a thousandth part of the evils prevalent during his times.[3]

If this was the situation in the 9th century of Islaam, what can be said about the immorality and licentiousness of today's women of Islaam's 14th century who are wearing fashionable clothing and walking about without veils and even headscarves? How can people attempt to bring women to the Masaajid during these times and prove their deed from the blessed time of Rasulullaah ρ? Who can guarantee that they will walk with lowered gazes, not use perfume and powders and stay out of the gazes of immoral men?

As for the narration in which Hadhrat Abdullaah bin Umar τ's son said, "But we will prevent them", it must be noted that Hadhrat Abdullaah bin Umar τ became angry and severed ties with his son because the apparent wording of his son's statement appeared to snub Rasulullaah ρ's statement. The incident is similar to that of

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[1] Abu Dawood (Vol.1 Pg.91).

[2] *Umdatul Qaari*, as quoted in *Kifaayatul Mufti* (Vol.5 Pg.392).

[3] *Umdatul Qaari* (Vol.3 Pg.230).

Hadhrat Imaam Abu Yusuf رحمه الله who was once relating a Hadith stating that Rasulullaah ρ liked to eat pumpkin when one of his students said, "But I do not like it!". Imaam Abu Yusuf رحمه الله immediately drew his sword and said, "If you do not repent right now, I shall execute you." He threatened to execute the student because his words snubbed those of Rasulullaah ρ and to because not having a liking for pumpkin is punishable by death. Why else did Hadhrat Abdullaah bin Umar τ himself then drive women away from the Masjid by throwing pebbles at them?[1]

As for the command of Rasulullaah ρ, instructing women to attend the Eid Gah, it must be remembered that **there are three types of commands.** The first type denotes compulsion, e.g. "**Establish salaah**". The second type advises doing something that it preferable, e.g. the verse "**So eat from it** *(from the sacrificed animal)* **and feed it to the afflicted poor** *(those who are truly in need)*"[2] (there is no compulsion in this, but doing so is encouraged). The third type of command advises something that is permissible, e.g. "**When you emerge from the state of Ihraam, then you may hunt** *(outside the boundaries of the Haram)*[3]" (there is no compulsion here either and doing so is neither encouraged not discouraged).

Now let us ascertain which type of command is issued in the Hadith. It is certainly not the command denoting compulsion because none holds the opinion that it is Waajib (compulsory) for women to attend the Eid Gah. It is also not the commands advising something that it preferable because Rasulullaah ρ would then not have mentioned that a woman's salaah in her home is better than salaah in the Masjidun Nabawi. If salaah in the local Masjid is not preferable when it is close to the home, what about going to the Eid Gah, which is out of town?

Furthermore, the Eid salaah is Waajib (compulsory) while the five daily salaahs and the Jumu'ah salaah are Fardh (obligatory). When it

[1] *Mirqaat* (Vol.3 Pg.66).
[2] Surah Hajj, verse 28.
[3] Surah Maa'idah, verse 2.

is better not to perform the Fardh (obligatory) salaah in the Masjid, it will naturally not be best to perform the Waajib (compulsory) out of the home.

The command in the Hadith therefore advised something that is permissible and this permissibility was restricted to the time of Rasulullaah ρ. **The command cited in the Hadith therefore does not denote compulsion or a preferred act.**[1] In fact, even if it is taken to denote a preferred act, it will not be practised for reason of the evil it may lead to. This conforms to an accepted principle of jurisprudence that states, **"Forsaking a Makrooh act attracts more virtue because it is better than carrying out a Masnoon act."**[2]

Imaam Tahaawi رحمه الله writes that women were taken to the Eid Gah only during the early stages of Islaam to show the numbers of the Muslims to the Kuffaar. Since this need no longer exists, the need to take women to the Eid Gah also exists no longer.[3]

Let us now examine what the Fuqahaa have to say in the light of the Qur'aan and the Ahadeeth:

1. Allaama Ayni رحمه الله says, "The Fatwa in this age is that women are forbidden from attending all salaah, be it during the day or the night and regardless of whether the women are young or old. The word of the author (of *Kanzud Daqaa'iq*) "جماعات" includes the Jumu'ah salaah, the Eid salaah, Istisqaa salaah and even attending lectures, especially the lectures of ignorant people who pose as Ulema only to acquire material gains and fulfil their desires."[4]
2. *Durrul Mukhtaar* (Vol.1 Pg.529) states, "Because of the evils of the times, the Fatwa issued is that it is Makrooh for women to attend the Masjid even for the Jumu'ah salaah, the Eid salaah and lectures, even though it be old ladies and at night."

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[1] *Kifaayatul Mufti* (Vol.5 Pg.421).
[2] *Kabeeri* (Pg.365).
[3] Ayni (Vol.3 Pg.394) and *Mazaahire Haqq* (Vol.1 Pg.465).
[4] Ayni's commentary of *Kanz* (Vol.1 Pg.40).

3. *Fataawaa Aalamgeeri* (Vol.1 Pg.56) states, "The Fatwa nowadays is that it is Makrooh for women to attend all salaahs in the Masjid because of the evils of the times, as stated in *Kaafi*."

4. *Bahrur Raa'iq (Vol.1 Pg.358)* states*:* "Women may not attend the Jamaa'ah salaah because of Allaah's words, **"And remain glued to your homes"** and because Rasulullaah ρ said, 'For a woman to perform her salaah in a room of her house is better than her performing salaah in the courtyard of her house and for her to perform her salaah in an inner room of her house is better than her performing salaah in any room of her house.' The author of *Kanz* has stated in *Kaafi* that the Fatwa of this day is that it is Makrooh for women to attend all salaahs in Jamaa'ah."

5. *Rasaa'ilul Arkaan* (Pg.100) states, "The permission to attend the Jamaa'ah salaah was restricted to those times. Today however, there is a great chance of evil developing because men and women would be intermingling … it is therefore appropriate in this day and age that women be forbidden from salaah in Jamaa'ah because attending the Jamaa'ah salaah is not binding on them and the Qur'aan and Ahadeeth make it clear that it is Waajib (compulsory) to stay away from all evil. **It is also unanimously accepted that everything leading to Haraam will also be Haraam."**

6. Hadhrat Shah Abdul Haqq Muhaddith Dehlawi رحمه الله says: "It is Makrooh for women to attend the Jamaa'ah salaah during these times because of the fear of evils developing. Women were allowed during the time of Rasulullaah ρ for the **purposes of educating them,** a reason that no longer exists because the laws of the Shari'ah are now widespread and it is best for women to remain indoors."[1]

And Allaah knows best what is most correct.

[1] *Ashi'atul Lam'aat* (Pg.233).

PLACING THE HEELS NEXT TO THE HEELS OF THE ADJACENT MUSALLI

Question: I require clarification on the following issues and hope that you will furnish replies.

Hadith 195 in *Riyaadhus Saaliheen* (Chapter on the virtues of the first row) mentions that the Sahabah ψ stood in their rows with their shoulders as well as their feet touching those of the person next to them. This is what the Ahle Hadith (Ghayr Muqallideen) maintain.

Here in America and Canada there are many of these Ahle Hadith attending Hanafi Masaajid and they always quote the above narration of Bukhaari. We wish to humbly request you to furnish a detailed reply to this Hadith according to the Hanafi Madh'hab. Should we stand with our feet touching as they say or with our shoulders touching as we Hanafis do?

Answer: The Ahadeeth emphasise the importance of straightening the rows in salaah.

1. Hadhrat Anas τ reports that Rasulullaah ρ said, "Straighten your rows, stand close together and shoulder-to-shoulder because I swear by the Being Who controls my life that I can see Shaytaan creep between the gaps just as a kid would."[1]

2. Hadhrat Anas τ also reports that Rasulullaah ρ said, "Straighten your rows because straightening of the rows forms part of the establishment of salaah."[2]

3. Hadhrat Nu'maan bin Basheer τ says that Rasulullaah ρ would personally straighten the rows. It once occurred that he was

[1] Abu Dawood, as quoted in *Mishkaatul Masaabeeh* (Pg.98).
[2] Bukhaari and Muslim, as quoted in *Mishkaatul Masaabeeh* (Pg.98).

about to call out the Takbeer Tahreema when he noticed someone's chest sticking out from the row. Rasulullaah ρ then remarked, "You will have to straighten your rows, otherwise Allaah will certainly allow discord to prevail between you."[1]

4. Hadhrat Anas τ reports that the Iqaamah has already been called out when Rasulullaah ρ faced us and said, "Straighten your rows and stand close together **because I can see you behind me."[2]**

5. Hadhrat Abdullaah bin Umar τ narrates that Rasulullaah ρ said, "Straighten your rows, keep your shoulders aligned, fill all gaps and be compassionate towards your brothers. Never leave gaps for Shaytaan to fill. Allaah will join with one who joins a row (by filling a gap) and Allaah will sever ties with one who severs a row (by failing to fill a gap)."[3]

6. Hadhrat Abu Hurayrah τ reports that Rasulullaah ρ said, "Place your Imaam in the centre and fill all gaps."[4]

Apart from the above Ahadeeth there are many more emphasising the importance of straightening the rows of salaah, filling gaps between Musalli, standing close by and in line. Rasulullaah ρ verbally addressed the situation and also did so practically. Following in these teachings, the Sahabah ψ also attached great importance to the practice.

As for the narration of Bukhaari quoted in *Riyaadhus Saaliheen*, the simple reply is that it should not be interpreted literally. It must also be borne in mind that **the words** are not those **of Rasulullaah ρ,** but those **of the narrator.** It will therefore be deceiving to use this Hadith to state that these are the words of Rasulullaah ρ and his instruction. The narrator of the Hadith merely wishes to emphasise the importance of standing close to each other,

[1] Muslim, as quoted in *Mishkaatul Masaabeeh* (Pg.98).
[2] Bukhaari, as quoted in *Mishkaatul Masaabeeh* (Pg.98).
[3] Abu Dawood, as quoted in *Mishkaatul Masaabeeh* (Pg.99).
[4] Abu Dawood, as quoted in *Mishkaatul Masaabeeh* (Pg.99).

saying that they stood so close together that it was **almost as if their feet and shoulders touched.**

The famous commentators of Bukhaari Hafidh Ibn Hajar Asqalaani[1] رحمه الله and Allaama Badrud Deen Ayni[2] رحمه الله both state in their commentaries exactly what we have explained earlier and that the narration by no means refers to widening the legs to the extent that the feet touch those of the next person. Refer to *Ma'aarifus Sunan* (Vol.2 Pg.297-299) for more details.

The great Muhaddith Allaama Anwar Shah Kashmeeri رحمه الله states that neither Tirmidhi nor any of the other authentic compilations of Ahadeeth contain a chapter like the one in Bukhaari, stating that the shoulders and feet need to touch in salaah. It is only the Ghayr Muqallideen who interpret the narration literally and then look extremely pretentious when they stretch their legs apart in salaah to touch the feet of the person adjacent to them. Not only does this appear to look pretentious, but it also conflicts with the humility of salaah. **This was clearly not the practice of the Imaams of Fiqh and the pious predecessors.** The practice of the pious predecessors as was practised from generation to generation is sufficient enough proof to tell us that the narration refers to ensuring meticulousness when straightening the rows.

As for the distance to be maintained between the feet when standing, it needs to be remembered that the distance should be such that it allows one to stand comfortably, without difficulty and in a manner that appears humble. When Hadhrat Abdullaah bin Mas'ood τ saw a person standing in salaah with both feet together, he remarked that the person had forsaken the Sunnah. **Therefore, the Sunnah practice is to stand with the feet neither too close by and neither too far apart.**[3]

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[1] *Fat'hul Baari* (Vol.2 Pg.211).
[2] Umdatul Qaari (Vol.5 Pg.259).
[3] *Anwaarul Baari* (Vol.3 Pg.180).

Commenting on the practice of the Ghayr Muqallideen who emphasise that the ankles should touch, Hadhrat Moulana Husayn Ahmad Madani رحمه الله also states that the purpose of the narration is merely to stress with emphasis the need to stand close by. The ankles and feet need to be so straight and close that they would appear to be together. There are several reasons to assume this meaning.

1. The first is that it is this meaning that the scholars have always taken.

2. Secondly, practising on the literal meaning is difficult, pretentious and affects the humility of salaah.

3. Thirdly, the purport is understood from the words of other Ahadeeth. Consequently, Rasulullaah ρ used various words to emphasise that there should be no gaps between the rows but never instructed that people should make their ankles touch each other.

4. Fourthly, the straightness and fusion of the rows does not depend solely on ankles touching because the row can effectively be fused together without the ankles touching.

5. Fifthly, even if the ankles touch, there will still be an element of separation in the area above the ankles. Now if this is ignored on account of the difficulty involved in eliminating this element, it becomes evident that joining the ankles also shares the failing of other methods in ensuring 100% fusion.

6. If it is necessary to assume the literal meanings of words, then one of the words Rasulullaah ρ used was "تراصّوا" ('stand close by'), which really refers to the way in which molten metal is fused together. How will this be possible in a row? If the ankles are attached, there will still be a gap below the hips and at other places.

7. Furthermore, ensuring that the ankles are together will create an appearance that conflicts with the humility of salaah and no

Hadith encourages this. **In fact, it has been reported that Hadhrat Abdullaah bin Umar τ stood with his feet neither too far apart not too close by[1].** Allaama Shaami رحمه الله and the author of *Si'aayah* both state that according to research scholars, there should be a gap of four fingers between the feet in salaah because this is closest to humility. **This is also the opinion of Shaafi'ee scholars.** Another opinion of theirs is that the distance be a hand span apart.

8. Because people vary in height, it is not possible for their shoulders to touch. Standing 'shoulder-to-shoulder' can therefore not be interpreted literally and refers to an emphasis in standing close by. This indicates that the same meaning should be assumed when it comes to joining the ankles.

9. Since it is considered contrary to etiquette for a person performing salaah individually to stand with his legs far apart, the same will apply to the person performing salaah in Jamaa'ah.

10. **The successive practice of the Ummah weighs heavily in determining the purport of a narration.** This case is no exception. Whereas some of the Imaams of Fiqh saw the latter times of the Sahabah ψ, others saw the times of the Taabi'een and those after them. Their students and people after them all saw the practices of their forebears and followed suit. It was in this manner that the practice came before us today and this is still the practice of the greater portion of the Ummah. The purport of the Hadith therefore is to emphasise the importance of standing as close to each other as possible.[2]

And Allaah knows best what is most correct.

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[1] *Laami'ud Daraaree*.
[2] *Ma'aarife Madaniyyah* (Vol.4 Pg.98).

DIFFERENCES BETWEEN THE SALAAH OF MEN AND WOMEN

Question: Many women perform their Ruku, Sajdah and Qa'dah just like men. Is this correct? Please furnish a detailed reply.

Answer: Women are wrong when they perform their Ruku and Sajdah like men because there are many differences between the salaah of men and women. These are:

1. When calling out the Takbeer Tahreema, men raise the hands up to the ears, while women raise their hands to their chests.[1]
2. Men fold the hands beneath the navel in such a manner that the thumb and little finger of the right hand encircles the wrist of the left hand, with the remaining three fingers places on the forearm. All the fingers of the left hand will then be placed beneath the right forearm and must not be left to hang downwards. Women will place their hands on their chests with the palm of the right hand on top of the palm of the left hand without forming a ring with the fingers.[2]
3. In Ruku, the man should bow in a manner that the head, back and posterior are all in line, while a woman should bend only so much that her hands can reach her knees. Her back should not be straight.
4. A man in Ruku will clasp the knees firmly with the fingers apart, while the woman will keep her fingers together and place the hands on the knees without clasping them. Her knees should also be slightly bent and not straight like those of men. Men should also keep their arms away from their sides and adopt and open posture, while women should keep the arms attached to

[1] *Kanz* (Vol.1 Pg.305) and *Tahtaawi alaa Maraaqil Falaah* (Pg.152).
[2] *Durrul Mukhtaar* with *Shaami* (Vol.1 Pg.454).

her sides, keeping the ankles together in a sort of folded posture.[1]

5. In Sajdah a man's thighs are kept apart from his belly, his arms away from his sides and his forearms and elbows off the ground. Women, on the other hand, will perform Sajdah with the thighs attached to her belly, her arms attached to her sides and her forearms spread upon the ground. Furthermore, men should have their feet erect with the toes facing Qibla, while women will have their feet stretched to the right and make Sajdah with her body kept as compact as possible. Her fingers will be kept together, facing the Qibla.[2]

6. In Jalsa and Qa'dah, a man should keep his right foot erect with the toes facing the Qibla, spread his left foot on the ground and sit on it. Both hands should be placed on the thighs with the fingers facing Qibla and not pointing downwards. Women should extend both feet towards the right and sit on her left buttock.[3]

NOTE: When performing the Sajdah in the Masnoon method, a woman should take support from the ground when she proceeds from Ruku to Sajdah, extend both feet to the right and then immediately perform Sajdah. This helps in performing the Sajdah and it is the Masnoon method that has been practised from generation to generation. It can therefore not be called an act of Bid'ah. And Allaah knows best what is most correct.

EID SALAAH FOR WOMEN

[1] *Durrul Mukhtaar* with *Shaami* (Vol.1 Pg.461).
[2] *Bahrur Raa'iq* (Vol.1 Pg.320).
[3] *Bahrur Raa'iq* (Vol.1 Pg.321).

Question: Is the Eid salaah and Jumu'ah salaah Waajib (compulsory) for women? Will they receive the rewards for performing it at home or can they not perform these salaahs at all? Are they allowed to attend the Eid salaah at the Eid Gah? Please explain in detail.

Answer: The Eid salaah and Jumu'ah salaah are not Waajib (compulsory) for women. *Maa Laa Budda Minhu* (Pg.55) states that both the salaahs of Eid and Jumu'ah are not Waajib (compulsory) for children, slaves, women, Musaafirs and sick people. It is also not correct to perform these salaahs individually. It is a precondition for these salaahs to be performed in Jamaa'ah and for women to perform salaah in Jamaa'ah is Makrooh[1].

A More Detailed Answer: Women receive greater rewards for being as inconspicuous as possible when performing salaah. It is better for a woman and more rewarding for here to perform her salaah in as secret and private a place as possible. Rasulullaah ρ said that for a woman to perform her salaah in a room of her house is better than her performing salaah in the courtyard of her house and for her to perform her salaah in an inner room of her house is better than her performing salaah just any room of her house.[2] Another Hadith states that for a woman to perform her salaah individually is twenty-five times better than her performing salaah in Jamaa'ah.[3]

It is true that women performed salaah in the Masjid during the period of Rasulullaah ρ because Islaam was still being taught to the people and laws were still being revealed. It was a blessed period of time and the best of all times. It was after this period that many evils started to emerge, because of which **Hadhrat Umar τ forbade women from going to the Masjid during his period as Khalifah.** When the women complained of this to Hadhrat Aa'isha رضي الله عنها, she remarked, **"If Rasulullaah ρ had to see how women have started to behave, he would have surely forbidden them from**

[1] *Maa Laa Budda Minhu* (Pg.35).
[2] Abu Dawood (Vol.1 Pg.91).
[3] *Firdous*.

going to the Masjid just as the women of the Bani Israa'eel were prevented from doing so."[1]

The commentator of Bukhaari, Allaama Ayni رحمه الله reports that that Hadhrat Aa'isha رضي الله عنها made this statement a short while after the demise of Rasulullaah ρ. He (Allaama Ayni رحمه الله) then added, "As for today (855 A.H.), we seek Allaah's protection from it!"[2] If this was the situation in the 9th century of Islaam, what can be said about the immorality and licentiousness of today's women of Islaam's 14th century? Women can certainly not be allowed in the Masaajid. Fuqahaa have written that it is Makrooh for women to attend the Masaajid, even though it be for the Eid salaah, the Jumu'ah salaah or to listen to a lecture. This applies to even an old lady going at night.[3]

Hadhrat Shah Abdul Haqq Muhaddith Dehlawi رحمه الله wrote it is because of the deterioration of the (morals of people over the) times that it is Makrooh for women to attend the Masjid. He adds that women were permitted during the period of Rasulullaah ρ **to acquire the knowledge of the Shari'ah, a purpose that no longer exists today because of the spread of Deeni knowledge.[4]**

This ruling is general and applies to the Masjidul Haraam, the Masjidun Nabawi and throughout Arabia, India and everywhere else. It is in the interests of women's safety and for the protection of their chastity that they are not permitted to attend the Eid salaah since it is not Waajib (compulsory) for them in the first place[5]. And Allaah knows best what is most correct.

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[1] Abu Dawood (Vol.1 Pg.91).
[2] *Umdatul Qaari*, as quoted in *Kifaayatul Mufti* (Vol.5 Pg.392).
[3] *Durrul Mukhtaar* with *Shaami* (Vol.1 Pg.529) and *Rasaa'ilul Arkaan* (Pg.100).
[4] *Ashi'atul Lam'aat* (Pg.233).
[5] *Maa Laa Budda Minhu* (Pg.55-58).

CAN MASAH BE MADE ON NYLON SOCKS?

Question: The Arab students attending our universities and colleges make Masah on their nylon socks and when told that it is not permissible, they claim that their shoes are clean because they walk only on carpet. They therefore maintain that it is not necessary to remove the socks every time they make wudhu. Can Masah be made on nylon socks?

Answer: Several Ahadeeth[1] report that Rasulullaah ρ made Masah on his *Khuffain*, which refers to leather socks according to the Fuqahaa and the Muhadditheen. There is therefore no difference of opinion when Masah is made on leather socks. It is permissible without question.

However, when socks are not made of leather, Fuqahaa attach certain conditions to the validity of Masah on them. One condition is that they must be made of such a strong fabric that a person can walk three miles wearing only these socks on his feet. The second condition is that they should be able to stay on a person's feet without the need to tie them (but only because of the thickness of the fabric). The third condition is that they must not absorb water or allow it to reach the feet (it must be waterproof). If socks of any fabric fulfil the above three conditions, it will be permissible to make Masah on them.

Nylon socks are naturally not so thick that they can be used to walk three miles without tearing. Even if this is possible, they are not waterproof. Fuqahaa are therefore unanimous that it will therefore not be permissible to make Masah on them.[2]

For the shoes and socks to be pure is not the only factor that determines when Masah is made, because they need to be pure in

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[1] Abu Dawood (Vol.1 Pg.23), Tirmidhi (Vol.2 Pg.15) and Bazzaar, as quoted in *Zujaajatul Masaabeeh* (Vol.1 Pg.142).
[2] *Qaadhi Khan* (Vol.1 Pg.25) and *Sharhu Wiqaayah* (Vol.1 Pg.29).

any event. Together with them being pure, it is also necessary for the socks to be of a standard that fulfils the above three conditions. The Masah made on nylon socks will be invalid because such socks do not meet the requirements. And Allaah knows best what is most correct.

PROOF FOR HOLDING THE HANDS BELOW THE NAVEL

Question: The Hanafis fold their hands below their navels in salaah. Which Hadith substantiates this because the **Ghayr Muqallideen** say that there is no such Hadith.

Answer: A Hadith from Razeen from Hadhrat Abu Juhayfah τ states that Hadhrat Ali τ said, "The Sunnah practice is to fold the hands beneath the navel in salaah."[1]

A narration of Ahmad, Abu Dawood, Daar Qutni and Bayhaqi from Rasulullaah ρ states that the Sunnah is to place one hand on top of the other below the navel. A similar Hadith conveying the same meaning but with a slight variation in words is quoted in *Hidaayah*, *Bahrur Raa'iq*, *Kifaayah*, *Inaayah*, *Nihaayah* and *Kaafi*. The narration of *Bahrur Raa'iq* states that amongst the factors that Rasulullaah ρ stated are amongst the ways of all the Ambiyaa عليهم السلام is to place the right hand over the left hand beneath the navel.[2]

Hadhrat Alqama bin Waa'il bin Hujr τ reports from his father that he saw Rasulullaah ρ place the right hand over the left hand beneath

[1] *Tayseerul Wusool* (Pg.216), as quoted in *Nizaamul Islaam* by the author of *Mazaahire Haqq*.
[2] *Nizaamul Islaam* Pg.26.

the navel while in salaah. The narration appears in Ibn Abi Shaybah with a reliable chain of narrators.[1]

It is reported in the Aathaar of Imaam Muhammad رحمه الله that Hadhrat Ibraheem Nakha'ee رحمه الله also placed right hand over the left hand beneath the navel.[2] And Allaah knows best what is most correct.

PROOF FOR RAISING THE HANDS TO THE EARS WHEN CALLING OUT THE TAKBEER TAHREEMA

Question: The Hanafis raise their hands to their ears when calling out the Takbeer Tahreema. Which Hadith substantiates this because the **Ghayr Muqallideen** say that there is no such Hadith.

Answer: Hadhrat Maalik bin Huwayrith τ reports that when Rasulullaah ρ called out the Takbeer Tahreema, he would raise both his hands level with his ears.[3]

Hadhrat Waa'il bin Hujr τreports that he looked at Rasulullaah ρ when he stood up for salaah and raised his hands until they were level with his shoulders and his thumbs were level with his earlobes. Rasulullaah ρ then called out the Takbeer Tahreema.[4] For details, refer to *Zujaajatul Masaabeeh* (Vol.1 Pg.227). And Allaah knows best what is most correct.

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[1] *Zujaajatul Masaabeeh* (Vol.1 Pg.232).
[2] *Zujaajatul Masaabeeh* (Vol.1 Pg.233).
[3] *Mishkaatul Masaabeeh* (Pg.75).
[4] Abu Dawood, *Mishkaatul Masaabeeh* (Pg.76).

JUMU’AH SALAAH IN A SHAAFI’EE MASJID

Question: There are several Masaajid in the Bombay area where the people follow the Shaafi’ee Madh’hab. Many of their Masaajid are closed at the time of the Jumu’ah salaah because according the Shaafi’ee Ulema, the Jumu’ah salaah may be performed only in the Jaami Masjid. As a result, people belonging to the Shaafi’ee as well as the Hanafi Madh’hab have to endure great hardship on Fridays because the Jaami Masjid cannot accommodate the overwhelming crowds. In fact, even the Hanafi Masaajid cannot accommodate the people. As a result, when the rainy season starts, many people are deprived of performing the Jumu’ah salaah. Is there no scope for permission to be granted in the Shaafi’ee Madh’hab for the Jumu’ah salaah to be performed in the other Masaajid?

Answer: It is certainly a condition in the Shaafi’ee Madh’hab that the Jumu’ah salaah be performed only in one Masjid. If performed at several venues, only the salaah performed by the Imaam whose Takbeer Tahreema is first will be valid. None of the other salaahs will taken into account.

Such an opinion has been reported from Imaam Abu Haneefah رحمه الله as well.[1] However, it has also been reported from Imaam Abu Haneefah رحمه الله that the Jumu’ah salaah may be performed at additional venues when the need arises. This exception is made in the Shaafi’ee Madh’hab as well.[2]

[1] *Maa Laa Budda Minhu* (Pg.54).
[2] *Shaami* (Vol.1 Pg.755).

The following is stated in the reliable book of the Shaafi'ee Madh'hab titled *Al Asaas*[1] (written by Muhammad Yahya Beiruti رحمه الله): "It is a precondition that the Jumu'ah salaah be performed only in one Masjid. If performed at several venues, only the salaah performed by the Imaam whose Takbeer Tahreema is first will be valid. The second and third salaahs will be invalid. However, if one Masjid is insufficient, it will be permissible to perform the Jumu'ah salaah at several venues."[2]

The gist of it all is that according to both the Shaafi'ee and Hanafi Madh'habs, it is not permissible to perform the Jumu'ah salaah at several venues without valid reason. Doing so will oppose the spirit of the Jumu'ah salaah. However, it will be permissible to do so according to both Madh'habs when the Jaami Masjid cannot accommodate all the people or it is difficult for people to get there, as is the case with Bombay. And Allaah knows best what is most correct.

PERFORMING SALAAH BEHIND A GHAYR MUQALLID IMAAM

Question: There are some Hanafis here who perform their salaah behind a Ghayr Muqallid Imaam. Is their salaah valid?

Answer: There are many fundamental and other differences between Muqallideen and Ghayr Muqallideen. The Ghayr Muqallideen do not regard the Sahabah ψ as criterion for what is right and wrong, they regard Taqleed as an act of Bid'ah whereas the rest of the Ummah considers it to be Waajib (compulsory). In fact, they even go

[1] Translated into Urdu under the title *Arkaanul Islaam* by Mufti Marghoob Ahmad Lajpuri Surti.
[2] *Rasaa'ilul Arkaan* (Pg.76).

to the extent of saying that Taqleed is an act of Shirk. Amongst the other rulings about which they differ is that they regard the twenty Rakaahs of Taraaweeh salaah as a Bid'ah of Hadhrat Umar τ and they interpret three divorces in a manner that contradicts the Qur'aan and Ahadeeth. They also see the second Adhaan of Jumu'ah as a Bid'ah started by Hadhrat Uthmaan τ, they say that it is permissible to marry more than four wives and also claim that *Mut'ah* (temporary marriages) are legal.

It is for this reason that our Ulema maintain that such people not be followed in salaah because an act of Ibaadah as important as salaah should not be tainted by any doubts whatsoever. If one has to perform salaah behind any of them for some reason, it should better be repeated later.

When asked the same question, Hakeemul Ummah Hadhrat Moulana Ashraf Ali Thanwi رحمه الله replied that the Ghayr Muqallideen are so varied in types, salaah behind some of them will be Makrooh and sometimes invalid. Because it is not possible to determine the type of Ghayr Muqallideen in an instant, it would be best to avoid performing salaah behind them.[1]

In another Fatwa, he explains that if the Ghayr Muqallid's differences are restricted to rulings that have been deduced by the Mujtahiddeen (*Ijtihaadi*), following them would be like a Hanafi following a Shaafi'ee. This would therefore be permissible. If the Ghayr Muqallid is otherwise, most Ulema state that it would not be permissible to follow him in salaah because the utmost precaution is necessary in salaah. As for those Ghayr Muqallideen whose differences conflict with the consensus of the Ummah, following them would be like following someone who perpetrates acts if Bid'ah. Such differences include legalising marriage to more than four wives, legalising Mut'ah and reviling our pious predecessors. **When there is no necessity to follow them, it would be Makrooh Tahreemi to do so and when there is a necessity, it would be Makrooh Tanzeehi to do so.**

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[1] *Imdaadul Fataawaa* (Vol.1 Pg.236).

As for the Ghayr Muqallid whose condition in not known, it would be better to follow them if there is fear of conflict arising. One may then repeat the salaah afterwards. However, if there is no danger of conflict, one should not follow them so as not to deceive the common Muslim and so that such Ghayr Muqallideen do not become too bold.[1]

Hereunder follows a Fatwa of Hadhrat Mufti Azeezru Rahmaan رحمه الله:

"Question: How is it to follow an Imaam who believes that: (1) Taqleed is not permissible and an act of Bid'ah; (2) Mirza Ghulam and his followers are Muslims (3) the Madhaahib of the Muqallideen is not in the Qur'aan? Can one follow him in salaah and study the meaning of the Qur'aan from him? Answer**:** It is wrong to appoint as an Imaam someone who holds the beliefs stated in the question and it is not even correct to study the meaning of the Qur'aan under him."[2]

Another Fatwa[3] states: **"Question:** Zaid is a Ghayr Muqallid and says that following the four Imaams is Kufr and Shirk. Is he correct and is it permissible to follow him in salaah? Answer**:** The statement of this Ghayr Muqallid is incorrect and a means of deviation. It is not permissible to perform salaah behind him." The marginal notes on this fatwa states that such a person is a Faasiq and **following a Faasiq in salaah is Makrooh Tahreemi."[4]** And Allaah knows best what is most correct.

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[1] *Imdaadul Fataawaa* (Vol.1 Pg.385-386).
[2] *Fataawaa Daarul Uloom* (Vol.3 Pg.106).
[3] *Fataawaa Daarul Uloom* (Vol.3 Pg.257).
[4] See *Raddul Mukhtaar* (Vol.1 Pg.523).

CAN A HANAFI MUQTADI FOLLOW A HAMBALI MUSAAFIR IMAAM WHO DOES NOT PERFORM QASR?

Question: Can a Hanafi Muqtadi who is a Muqeem follow a Hambali Imaam who is a Musaafir and does not perform Qasr? Will it be Makrooh or not?

Answer: If a Musaafir Imaam does not perform Qasr salaah, the salaah of a Hanafi Muqeem behind him will not be valid. The Hambali Imaam in Arafaat performs Qasr salaah even though he is a Muqeem. The salaah of a Hanafi following him will therefore not be valid, regardless of whether the Hanafi is a Musaafir or a Muqeem.[1] And Allaah knows best what is most correct.

A GHAYR MUQALLID WRITES THAT THE FOUR MADHAAHIB ARE A BID'AH ACCORDING TO SHAH WALI'ULLAAH MUHADDITH DEHLAWI رحمه الله

Question: I have recently read a booklet entitled "*Madh'habi Firqa Parasti awr Islaam*" by Mukhtaar Ahmad Nadwi. The booklet examines the following of Madhaahib and page 39 of the booklet has a heading stating that following the Madhaahib is a Bid'ah according to Shah Wali'ullaah Muhaddith Dehlawi رحمه الله. He then quotes from Shah Wali'ullaah رحمه الله's book *Insaaf*, which reads: "Muslims

[1] *Shaami* (Vol.1 Pg.238).

in the first and second centuries of Islaam knew nothing about following a particular Madh'hab and there was no culture of following the Madhaahib during those times as well. The pious predecessors had no idea of what Madhaahib are all about because everyone followed only the Shari'ah of Hadhrat Muhammad ρ. They did only that which Rasulullaah ρ said and did and all of the Sahabah ψ, Taabi'een and those after them agreed on the fact that the only being worthy of being followed was Rasulullaah ρ. They all prohibited the act of following the words and Fataawaa of any one person."

What I wish to ask is whether Shah Wali'ullaah Muhaddith Dehlawi رحمه الله was opposed to the following of the Madhaahib? Does he regard the following of the Madhaahib as we have them today as a Bid'ah? Is will be appreciated if you could reply with references to the works of Shah Wali'ullaah رحمه الله.

Answer: The reference attributed to Shah Wali'ullaah Muhaddith Dehlawi رحمه الله is erroneous and in fact slander against him. we will quote the works of Shah Wali'ullaah Muhaddith Dehlawi رحمه الله later, which will make it clear that he never opposed the following of the Madhaahib and himself said that Rasulullaah ρ advised him to remain within the four Madhaahib. He also stated that the Hanafi Madh'hab conforms with the Sunnah, as attested to by Rasulullaah ρ.

When you read the text of Hadhrat Shah رحمه الله's works you will see that he was never opposed to the Madhaahib. The text quoted in which he describes the condition of the Muslims in the first and second centuries of Islaam is actually quoted from Abu Taalib Makki رحمه الله , which he has stated in his book *Qootul Quloob* and it is the demand of honesty that the text be attributed to him and not to Hadhrat Shah رحمه الله. It is therefore dishonest to attribute the test to Hadhrat Shah رحمه الله and also misleading to construe the text to be against the concept of Taqleed. The text was translated incorrectly. Hereunder follows the correct translation: "It must be noted that people during the first and second centuries of Islaam had not agreed on a fixed Madh'hab. For this reason, Abu Taalib Makki رحمه

ﷲ stated that books and compilations are all new innovations and that it was not the practice of people during those times to quote the statements of other people, to issue Fataawaa according to only one Madh'hab and to choose the way of only one Madh'hab in all matters, relying on it totally."[1]

Does this tie in with what the booklet quotes? If this is not deception, then what else can it be? Look at how "had not agreed on a fixed Madh'hab" was translated as "knew nothing about following a particular Madh'hab". This is either a poor reflection of the writer's knowledge or a deliberate obfuscation. The only point that can be proven from the text of Abu Taalib Makki رحمه الله is that following a particular Madh'hab (*Taqleed Shakhsi*) was not in vogue during the first and second centuries of Islaam. This however, became popular in the later centuries. In fact. Shah Wali'ullaah Muhaddith Dehlawi رحمه الله writes further: ""It was during the second century of Islaam that following a particular *Mujtahid* became common and there was scarcely anyone who did not do so. This was compulsory."[2]

There is a lengthy discussion on whether Taqleed Shakhsi was prevalent during the time of the Sahabah ψ, Taab'ieen and those after them. There is also the question on what is the status of Taqleed in the Shari'ah and whether or not it is proven in the Qur'aan and the Ahadeeth. These and other discussions have been addressed in our booklet titled "The need for Taqleed according to the Shari'ah." One should study it in detail. It will Inshaa Allaah put an end to any doubts or misgivings one may have about Taqleed. This booklet has been printed in *Fataawaa Raheemiyyah*.

Here follows quotations from Shah Wali'ullaah رحمه الله:

Shah Wali'ullaah Muhaddith Dehlawi رحمه الله writes: "CHAPTER ON THE IMPORTANCE OF FOLLOWING THE FOUR *MADHAAHIB* AND THE SEVERITY OF GIVING THIS UP. One ought to know that there is immense benefit in following the four

[1] *Insaaf* pg.57.
[2] *Insaaf* pg.59.

Madhaahib and tremendous harm in turning away from them."[1] In the same book, he writes further, "The second reason for following a *Madh'hab* is that Rasulullaah ρ said, 'Follow the broader consensus of people'. Since there are no *Madhaahib* on the truth besides the four *Madhaahib*, following them will be following the broader consensus of people and failing to follow them will be to leave the broader consensus of people, which will be against the instruction of Rasulullaah ρ."[2]

Shah Wali'ullaah Muhaddith Dehlawi رحمه الله described the followers of the four *Madhaahib* as the broader consensus of people and the one failing to follow any perform them as a lost camel who really follows the dictates of his Nafs.
He further quotes Imaam Baghawi رحمه الله, who said, "It is therefore compulsory for the person who does not have all these qualifications (of being a *Mujtahid*) to follow someone in all affairs that pertain to him."[3]

Hadhrat Shah Wali'ullaah رحمه الله also says, "There are numerous benefits in it (in following one of the four *Madhaahib*) that are no secret to anyone. These are especially required in these days when people lack courage, when carnal passions have taken deep root in people's souls and when ever person is obsessed only with his opinion."[4]

In another of his works, Hadhrat Shah Wali'ullaah رحمه الله says, "It was during the second century of Islaam that following a particular *Mujtahid* became common and there was scarcely anyone who did not do so. This was compulsory."[5]

He also said, "The entire Ummah, or rather those of them who are dependable, are unanimous about the fact that it is permissible to

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[1] *ul Jayyid* pg.31.
[2] *Uqdul Jayyid* pg.33.
[3] *Uqdul Jayyid* pg.9.
[4] *Hujjatullaahil Baaligha* (Vol.1 Pg.361).
[5] *Insaaf* pg.59.

follow one of these four *Madhaahib* that have been methodically systemised and recorded. This unanimity remains to this day (and opposing it is a means of deviation)."[1]

Hadhrat Shah رحمه الله also says, "The gist of it all is that following these four *Madhaahib* is something extremely subtle that Allaah has inspired in the hearts of the Ulema and upon which they have declared unanimity, regardless of whether they understand it or not."[2]

He also says, "If there is a common man in India or in the territories of *Maa Waraa'un Nahr* (places where there are predominantly Hanafis) and there are no Ulema belonging to the Shaafi'ee, Maaliki or Hanbali schools of jurisprudence, as well as no books of these *Madhaahib*, it will be Waajib (compulsory) for him to follow the *Madh'hab* of Imaam Abu Haneefah رحمه الله. It will be Haraam for him to leave this *Madh'hab* because if he does this, he will be removing the collar of the Shari'ah from his neck and will be left a useless and wasted soul."[3]

Despite being a *Mujtahid* in his own right, Shah Wali'ullaah Muhaddith Dehlawi رحمه الله was commanded by Rasulullaah ρ to follow a *Madh'hab* and never to leave one. He writes in his *Fuyoodhul Haramain*[4] that he was commanded by Rasulullaah ρ to do three things that he was not in favour of. In fact, he states, he was so staunchly disinclined towards these three things that the fact that he turned to them is in fact a sign of their truth. The second of these that he mentions is to follow one of the four *Madhaahib* without leaving it. He states further that Rasulullaah ρ also informed him that the Hanafi *Madh'hab* has a most excellent methodology that is closer to the Sunnah as it was documented during the period of Imaam Bukhaari رحمه الله and his contemporaries."[5]

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[1] *Hujjatullaahil Baaligha* (Vol.1 Pg.361).
[2] *Insaaf* pg.47.
[3] *Insaaf* pg. 70-71.
[4] Pgs. 64-65.
[5] *Fuyoodhul Haramain* pg.48.

The summary of Shah Wali'ullaah Muhaddith Dehlawi رحمه الله comments are:

1. The practice of following a particular person was common during the times of the Sahabah ψ and the Taabi'een
2. Following one of the four *Madhaahib* entails following the broader consensus of people (which is compulsory in the words of the Ahadeeth) and failing to follow it will lead to deviation
3. The practice of following one of the four *Madhaahib* became common after the second century of Islaam
4. Following one of the four *Madhaahib* is something extremely subtle that Allaah has inspired in the hearts of people
5. The Ummah is unanimous about following the four Imaams
6. Taqleed is Waajib (compulsory) for anyone who is not a *Mujtahid*
7. There are numerous Deeni benefits to following a specific Imaam
8. Rasulullaah ρ instructed Hadhrat Shah Wali'ullaah رحمه الله to follow an Imaam
9. Rasulullaah ρ told him that the Hanafi *Madh'hab* is closest to the Sunnah
10. It is Haraam for a common man to forsake Taqleed. In fact, this actually leads him to leaving Islaam (as admitted to by the leader of the Ghayr Muqallideen Moulana Muhammad Husayn Batalwi, as s we shall quote later)

Read through these quotations carefully and decide whether they actually support or refute what has been attributed to Shah Wali'ullaah رحمه الله. It is also worth noting what Hadhrat Shah رحمه الله has to say about the group of people who criticise the Fuqahaa and speak ill of them. He says: "Most of the people who claim to be people of the Ahadeeth concern themselves only with collecting chains of narrators and determining Ahadeeth which are *Ghareeb* or *Shaadh* from many that are either *Mowdoo* or *Maqloob*. They do not

concern themselves with the words of the Hadith, do not understand the meanings of the Ahadeeth and cannot derive rulings from its depths. These people condemn the jurists and claim that they oppose the Qur'aan and the Ahadeeth without realising that they can never attain the knowledge that Allaah had granted to the jurists. They are really sinful for making such statements."[1]

The Ghayr Muqallideen take pride in their abandonment of the Madhaahib and wish to make others free thinkers like themselves. They however fail to see the harms in this and ignore the dangers that the pious predecessors have cautioned against. If they forsake their prejudices and obstinacy to think seriously about the matter, they will certainly find no reason to remain the way they are.

The reviver of the Ahle Hadith group Janaab Nawaab Siddique Hasan Khan of Bopal writes the following about his group, "There has now surfaced a boastful group who (despite being far from it) claim that they have the knowledge of the Hadith and the Qur'aan and also claim that they practise it and have recognition of Allaah."[2]

He writes further, "How strange! How can they (these *Ghayr Muqallideen*) call themselves sincere believers in Towheed while alleging that others (because of their *Taqleed*) are Mushrikeen, whereas they (the *Ghayr Muqallideen*) are most obstinate and mulish in their ways?" He later concludes the discussion by saying, "This way (of the *Ghayr Muqallideen*) is nothing but a great tribulation and means of deviation."[3]

Moulana Muhammad Husayn Batalwi whom the *Ghayr Muqallideen* look up to wrote in his book *Ishaa'atus Sunnah*: "Twenty five years of experience has proven to me that those who forsake following the *Mujtahideen* and a *Madh'hab* eventually end up bidding farewell to Islaam. Many of the become Christians and other become people who follow no religion at all. The least that happens is that they no

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[1] *Insaaf* pg.53.
[2] *Al Hitta fi Dhikri Sihaahis Sitta* Pg.27-28.
[3] *Taqleede A'immah* pgs.17-18

longer follow the Shari'ah and fall into sin. Some of them openly discard the Jumu'ah salaah, salaah in congregation and fasting. They also do to abstain from liquor and interest and those who do not indulge in these open sins, do so for ulterior motives, but then indulge in secret sins. They are often also involved in illicit affairs with women. Although there are many reasons for a person in Deen to become irreligious and to leave the Deen, one of the main reasons is also when people with no knowledge forsake *Taqleed* (following a *Madh'hab*)."[1]

And Allaah knows best what is most correct.

RAISING THE HANDS TO MAKE DU'AA BETWEEN THE TWO KHUTBAHS

Question: When the Khateeb pauses to sit between the two Khutbahs, people raise their hands to make du'aa. Is this correct?

Answer: The Ahadeeth do to report any du'aa from Rasulullaah ρ during this pause between the Khutbahs. The issue is dealt with in detail in *Ghaayatul Awtaar*, which states: "It has become a custom nowadays for people to raise their hands and make du'aa when the Khateeb sits between the two Khutbahs. It is therefore relevant to deal with this issue here. Abu Dawood reports from Hadhrat Abdullaah bin Umar τ that it was Rasulullaah ρ's practice to deliver two Khutbahs. Rasulullaah ρ would mount the Mimbar and sit until the Mu'adhin had called out the Adhaan. He would then stand up, deliver one Khutbah and then sit down in silence. He then stood up again to deliver the second Khutbah. Imaam Tahtaawi رحمه الله has

[1] *Sabeelur Rashaad* pg.10, *Kalimatul Fasl* pg.10 and *Taqleede A'immah* pgs.16-17.

mentioned that no du'aa has been reported from Rasulullaah ρ during this pause.

Shamsul A'immah Sarakhsi رحمه الله has written that the pause between the Khutbahs should be only **as long as it takes for all the limbs of a person to be at ease.** He also states that it is an act of Bid'ah to make du'aa during this time. Imaam San'aani رحمه الله has stated that the Shari'ah has not permitted the raising of the hands to make du'aa between the two Khutbahs and *Jaami'ul Khateeb* goes as far as stating that doing so is Haraam. In his commentary of this Hadith in *Mishkaat*, Sheikh Abdul Haqq رحمه الله has stated that sitting in silence refers to not making du'aa and not saying anything else either. Commenting on the Hadith stating that the time for du'aas to be accepted on Fridays is between the time that the Imaam mounts the Mimbar to the time that he competes the salaah, Mulla Ali Qaari رحمه الله states that this is a time during which it is Haraam for people to speak. The du'aa that is accepted is therefore the du'aas that the Imaam makes for all the Muslims during the Khutbah and salaah **because only he is permitted to speak during this time.** It has therefore not been established that the Imaam or the Musallis should raise their hands to make du'aa in the time between the Khutbahs …"[1]

And Allaah knows best what is most correct.

SAYING THAT THE FIRST ADHAAN OF THE JUMU'AH SALAAH IS A BID'AH STARTED BY HADHRAT UTHMAAN τ

[1] Vol.1 Pg.373. See also *Shaami* (Vol.1 Pg.772).

Question: The Ghayr Muqallideen say that the first Adhaan of the Jumu'ah salaah that is called out from the Minaarah is a Bid'ah practice initiated by Hadhrat Uthmaan τ and is not permissible since it was not practised during the time of Rasulullaah ρ. Is this true?

Answer: Because the Muslims were few during the time of Rasulullaah ρ, the one Adhaan called out in front of the Mimbar was sufficient. However, as the numbers of Muslims increased immensely, this Adhaan was not sufficient to call the Muslims to salaah, so Hadhrat Uthmaan τ added the first Adhaan with the unanimous consent of all the Sahabah ψ. This unanimity is a source of code in the Shari'ah. Furthermore, Hadhrat Uthmaan τ was amongst the Khulafaa Raashideen and Rasulullaah ρ emphasised, "Hold fast to my practices and those of my Khulafaa Raashideen."[1]

Tafseer *Mawaahibur Rahmaan* states that the verse ***"O you who have Imaan, when you are called for salaah…"*** refers to that Adhaan of the Jumu'ah salaah which is called out in front of the Khateeb because this was the Adhaan during the time of Rasulullaah ρ and Hadhrat Abu Bakr τ. It was when the Muslim population grew tremendously and people lived far off that Hadhrat Uthmaan τ had a person call out the Adhaan at a place called Zowraa so that people could terminate all trade as soon as they heard it and proceed for the Jumu'ah salaah. The Adhaan was then called out again in front of the Khateeb as was the practice. The Khutbah was then followed by the Iqaamah before the salaah, which was also referred to as the Adhaan. Although there were plenty of Sahabah ψ from amongst the Muhaajireen and Ansaar present at the time, none of the opposed the practice because the Hadith clearly states, "Hold fast to my practices and those of my Khulafaa Raashideen coming after me. Bite onto them with your hind teeth". The Adhaan delivered from the Minaarah is therefore permissible, after which the second Adhaan is called out in front of the Khateeb.[2] And Allaah knows best what is most correct.

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[1] *Mishkaatul Masaabeeh* (Pg.31).
[2] (Vol.6 Pg.403).

THE QUESTION OF" TAWASSUL' IN DU'AA

Question: Is it permissible to make du'aa using the Ambiyaa عليهم السلام or the Auliyaa as a mediums? Is it permissible to say in one's du'aa, "By the *Haqq* (right) of such a person" or "By the sacredness of such a person"?

Answer: It is both permissible and Masnoon to use a medium when making du'aa by saying things such as, "O Allaah! Have mercy on my situation through the medium of such-and-such a Nabi or saint". This is a very effective manner of having du'aas accepted. In fact, Tirmidhi and other books of Ahadeeth report that Rasulullaah ρ actually taught a Sahabi τ to make du'aa in this manner. Rasulullaah ρ taught him to make du'aa saying: "O Allaah! I ask You and turn towards You by the medium of Muhammad ρ who is Your Nabi of mercy."[1]

A narration of *Mishkaat* states that it was the practice of Hadhrat Umar τ that whenever there was a drought, he would pray for rain using the medium of Hadhrat Abbaas τ. He would say, "O Allaah! We used to use the medium of Your Nabi ρ to pray to You and You would send us rain. We are now asking You through the medium of the uncle of our Nabi ρ, so please send rain to us." Rain would then come showering down[2].

Our elders have always favoured such du'aas with mediums. Hadhrat Moulana Ashraf Ali Thanwi رحمه الله writes: "Amongst the people of Tasawwuf, making du'aa through the medium of Allaah's chosen servants is very popular. This is substantiated by the Ahadeeth. A narration in Mishkaat from Hadhrat Umayyah τ states

[1] Tirmidhi (Vol.2 Pg.197), *Mishkaatul Masaabeeh* (Pg.219), *Hisnul Haseen* Pg.151, Ibn Maajah (Pg.100).
[2] *Mishkaatul Masaabeeh* (Pg.132), reporting from Bukhaari.

that on the occasion of the conquest of Makkah, Rasulullaah ρ made du'aa using the medium of the poor Muhaajireen."[1]

He also writes: "It is quite in order to make du'aa through the medium of Allaah's accepted servants, whether they be alive or deceased. The Ahadeeth report the incident of Hadhrat Umar τ using the medium of Hadhrat Abbaas τ when making du'aa for rain and also reported is the incident of the blind person making du'aa using the medium of Rasulullaah ρ. There is therefore no doubt about the permissibility of this."[2]

Sheikhul Islaam Hadhrat Moulana Madani رحمه الله writes: "Using the medium of Rasulullaah ρ(when making du'aa) was not confined to the period when he was alive but can be made even while he is in the realm of Barzakh (in the grave). Reaching the true Beloved (Allaah) and pleasing Him can be done only through the medium of Rasulullaah ρ."[3]

A medium is really Allaah's mercy that He blesses His chosen servants with. Therefore, when someone makes du'aa through the medium of a saint, it is this special mercy that Allaah blesses them with that is actually regarded as the medium (the vehicle to carry the supplication). **Using a medium is not permissible when a being other than Allaah (the medium) is regarded as being the one rendering the assistance that is sought. It is wrong to believe that the medium will fulfil the need.**

It is correct to use phrases such as "By the intervention of such a person", "By the sacredness of such a person" or "By the status of such a person". While it is also permissible to say, "By the *Haqq* (right) of such a person", some scholars disagree, citing the Hadith "The creation cannot be given a *Haqq* (right) over that of Allaah's right". This argument is however unsound.

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[1] *Takashuf* Pg. 446.
[2] *Imdaadul Fataawaa* (Vol.4 Pg.326).
[3] *Maktoobaat Sheikhul Islaam* (Pgs.129,130).

Rasulullaah ρ has also stated that when leaving his home for salaah, a person's du'aa is accepted when he says, "O Allaah! I am asking you for the reward of this salaah by the right that all begging from You have."

Hadhrat Shah Abdul Azeez Muhaddith Dehlawi رحمه الله quotes a narration from Hadhrat Umar τ as reported by Tabraani in his *Mu'jamus Sagheer*, Haakim, Abu Nu'aym and Bayhaqi. The narration from Rasulullaah ρ states that when Hadhrat Aadam υ erred, he repented using Rasulullaah ρ as a medium. He said, "O Allaah! I beg You by the *Haqq* of Muhammad ρ to forgive me." Allaah then forgave him.[1]

Hadhrat Imaam Rabbaani Mujaddid Alf Thaani رحمه الله used to make du'aa saying, "O Allaah! By the *Haqq* of the Nabi of Faatima رضي الله عنها do I ask You to give me death with Imaan. Whether you accept or reject my du'aa, I am satisfied with clinging to the hem of the family of Muhammadur Rasulullaah ρ."[2]

And Allaah knows best what is most correct.

THE GHAYR MUQALLIDEEN SAY THAT THE SALAAH OF THE HANAFIS IS INVALID BECAUSE THEY DO NOT RECITE SURAH FAATIHA

[1] *Fat'hul Azeez* Pg. 183.
[2] *Maktoobaat* (Vol.2 Pg.64).

Question: The Ghayr Muqallideen say that the Muqtadi has to recite Surah Faatiha and that salaah is invalid without it. Please clarify.

Answer: The claim of the Ghayr Muqallideen is itself invalid when they say that the salaah of the Muqtadi is invalid if he does not recite Surah Faatiha in the audible salaahs. The famous Muhaddith and Faqih Allaam Muwaffiqud Deen Ibn Qudaamah Hambali رحمه الله who was the student of Sheikh Abdul Qaadir Jaylaani رحمه الله writes in his book *Al Mughni*[1]: "Imaam Ahmad bin Hambal رحمه الله said, 'We have never heard anyone from the people of Islaam state that the Muqtadi's salaah is invalid when he does not recite Qiraa'ah as the Imaam does in the audible salaahs. This has never been stated by Rasulullaah ρ, the Sahabah ψ, the Taabi'een, Imaam Maalik رحمه الله from the people of Hijaaz, Imaam Thowri رحمه الله from the people of Iraq, Imaam Awzaa'ee رحمه الله from the people of Shaam or Imaam Layth bin Sa'd رحمه الله from the people of Egypt. None has ever stated that the salaah of the follow is invalid when he does not recite Qiraa'ah."

And Allaah knows best what is most correct.

FOLLOWING A SHAAFI'EE IMAAM IN THE EID SALAAH

Question: If some Hanafi people follow a Shaafi'ee Imaam in the Eid salaah, should they make the extra Takbeers? While the Hanafi Madh'hab requires six extra Takbeers, the Shaafi'ee Madh'hab requires seven extra Takbeers in the first Rakaah and five in the second. What should a Hanafi do?

[1] Vol.1 Pg.564.

Answer: A Hanafi may follow a Shaafi'ee Imaam in the Eid salaah and make the extra Takbeers with the Imaam.[1]

And Allaah knows best what is most correct.

PERFORMING THE WITR SALAAH IN JAMAA'AH IS BEST EVEN FOR THE ONE WHO REGULARLY PERFORMS THE TAHAJJUD SALAAH

Question: Please state the proof for performing the Taraaweeh salaah in Jamaa'ah during Ramadhaan and state whether a person regular with Tahajjud salaah should perform the Witr salaah in Jamaa'ah or wait to perform it at the time of Tahajjud, as encouraged by the Ahadeeth?

Answer: The details of the twenty Rakaahs Taraaweeh salaah have passed in a previous fatwa. Haafidh Ibn Hajar Asqalaani رحمه الله reports from Imaam Raafi'ee رحمه الله that Rasulullaah ρ led the Sahabah ψ in twenty Rakaahs for two nights. However, when they had gathered on the third night, Rasulullaah ρ remained in his room and told them the next day, "I feared that it may be made obligatory for you and you will then not be able to cope."

After quoting this narration, Ibn Hajar رحمه الله states that this narration is authentic according to all scholars.[2]

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[1] *Durrul Mukhtaar* with *Shaami* (Vol.1 Pg.708).

[2] See *Talkheesul Habeer* (Vol.1 Pg.119), *Al Haawi Lilfataawaa* (Vol.2 Pg.75), *Lawaami'ud Daraaree* (Pgs.155-156), *Fataawaa Qaadhi Khan* (Vol.1 Pg.163) and others.

From the time of Hadhrat Umar τ to this day, all the pious predecessors and the entire Ummah have been performing the Taraaweeh salaah and the Witr salaah in Jamaa'ah. It is therefore best for even the person regular with Tahajjud to perform the Witr salaah with the Jamaa'ah during Ramadhaan.[1]

And Allaah knows best what is most correct.

PERFORMING THE SUNNAH OF FAJR AFTER THE FARDH AND PERFORMING QADHAA AND NAWAAFIL BEFORE AND AFTER THE FAJR AND ASR SALAAHS

Question: A person was still performing wudhu when the Jamaa'ah started for the Fajr salaah. By the time he finished the wudhu, the Imaam was already in Qa'dah. He therefore joined the Jamaa'ah without getting a chance to perform the Sunnah Rakaahs. Can he perform the Sunnah Rakaahs after the Fardh? If not immediately after the Fardh salaah, can he perform them after sunrise? What is the ruling concerning performing Qadhaa and Nawaafil salaah after the Fajr and Asr salaahs? Please reply with references.

Answer: Performing the Sunnah Rakaahs of Fajr after the Fardh salaah is a grave Makrooh act. *Maraaqil Falaah* (Pg.101) makes it clear that it is Makrooh to perform Nafl salaah after the Fajr and Asr salaahs, even though it be the Sunnah Rakaahs of the Fajr salaah and even though the sun had not started to turn yellowish after Asr. A Hadith of Bukhaari and Muslim reports from Rasulullaah ρ that no

[1] *Nurul Idhaa* (Pg.100) and *Maraaqil Falaah* (Pg.74).

salaah is to be performed between the Fajr salaah and sunrise and between the Asr salaah and sunset.[1]

According to Imaam Muhammad رحمه الله, it is preferable to perform Qadhaa of the Sunnah of Fajr between Sunrise and Zawaal of the same day. If the Fardh of Fajr was also missed, the Sunnah should be performed with the Qadhaa of the Fardh, but only if it is done before Zawaal on the same day. If the Qadhaa is performed afterwards, only the Qadhaa of the Fardh should be performed.[2]

A Hadith in Tirmidhi reports from Hadhrat Aa'isha رضي الله عنها that whenever Rasulullaah ρ entered the house after the Asr salaah, he always performed two Rakaahs salaah. Because the Hadith prohibiting performing salaah during this time is a direct statement and this Hadith of Hadhrat Aa'isha رضي الله عنها reports an action of Rasulullaah ρ, **the direct statement will be given preference.**

Hadhrat Sheikhul Hind رحمه الله responds to this apparent contradiction by saying that performing the two Rakaahs after the Asr salaah was a speciality of Rasulullaah ρ and was not permissible for the Ummah. Had this not been the case, Hadhrat Umar τ would never have gone to the extent of using a whip to deter people from performing salaah after the Asr salaah.[3]

The Qadhaa salaah falls within the category of the Fardh salaah and may therefore be performed after the Fajr and Asr salaahs. However, it must not be performed in front of other people because one's sins should be concealed.[4]

And Allaah knows best what is most correct.

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[1] *Maraaqil Falaah*.
[2] *Shaami* (Vol.1 Pg.246) and *Tahtaawi alaa Maraaqil Falaah* (Pg.246).
[3] *Taqreer Tirmidhi*.
[4] *Kabeeri* (Pg.238), *Ikhtiyaar* (Vol.1 Pg.41). *Hidaayah* (Vol.1 Pg.70) and *Durrul Mukhtaar* with *Shaami* (Vol.1 Pg.349).